

indeed time we dealt with this problem with both an open heart and an open mind.

The editorial follows:

THE IMMUNE SOCIETY

There are three Americas today.

There is the America whose sons are fighting in Vietnam, and that America knows full well the agony and anxiety of the struggle.

There is the America that is locked in the ghettos by white racism and white indifference, and that America knows the agony of life as a second-class community.

Then there is the comfortable America, the immune America, the white-collar and well-off America, for whom life is business (and pleasure) as usual. And that, regrettably, is the America that dominates national thinking. It is an America that seems untouched by all the sorrow and misery of a divided, distracted nation.

Conspicuous consumption is the keynote of this third America. The governors of the several states meet in Washington, dining on the finest food and sipping the finest wines. The wives of those governors are invited to the White House for a sumptuous luncheon and a show of the latest, lavish fashions for women. Only a few blocks away from the White House are some of the festering Negro slums of Washington. Only seconds away, by

TV beamed from satellites, are more than 500,000 young Americans who are ready to offer their lives to maintain the independence of South Vietnam and to prevent its domination by Communism.

Can a society so generally unmoved by compassion survive? That is the real question. A TV report on Vietnam the other night focused, for a few seconds, on a young soldier blacking his face as he prepared to go out beyond the barbed wire at Khe Sanh on patrol. "Are you frightened?" asked the commentator interviewing him. "Sure," he said, "we're all frightened, but we have to do our duty." A few moments later, that moving episode was followed by a commercial for an antacid that relieves stomach distress caused by over-eating.

There is another example. An advertisement shows two women outside a library in a pleasant Westchester village. In the foreground is a new Rolls-Royce. The caption: "The new Rolls-Royce Silver Shadow turns a trip to the library (or to the hairdresser's or the supermarket or the post office) into a sinfully luxurious experience . . . Cost \$20,600."

What we are experiencing is a true, not a manufactured, credibility gap—a gap in our own credibility. We send our men to Vietnam to fight, but most of us at home remain unaffected by their sacrifice. We talk

about programs to mitigate the problem of the ghettos, but the President's Commission on Civil Disorders points out that too many members of the white majority are secretly pleased to lock up the Negroes in their own communities.

Of course, most in the U.S. have never truly faced up to the fact that we are fighting a two-front war. By waiting too long to raise taxes, the administration has sought to make this an era of no sacrifice. The war in Vietnam, to all too many people, is merely an unpleasant offstage echo—nasty, but something to let the other fellow worry about.

This state of pietistic indifference cannot and must not go on. We face challenges in the slums that will absorb a staggering amount of the national income. We face increasing costs in Vietnam, and yet our congressional leaders dawdle over a proposed surcharge on income taxes. We are going to have to make some agonizing choices, and soon.

The three Americas cannot exist side by side. Unless we make this one America, once more, the conflicts dimly looming in the future may become the cataclysms of tomorrow. The immune America—the unseeing, unfeeling America—must become the first casualty of the realism and sacrifice these grim times demand.

SENATE—Thursday, March 7, 1968

The Senate met at 10 o'clock a.m., and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, who art the hope of all the ends of the earth.

Thou who committest to us the swift and solemn trust of life, teach us to number our days, that we may apply our hearts unto wisdom. Consecrate with Thy presence the way our feet may go, and the humblest work will shine.

As Thy servants in this temple of democracy, give us courage and strength for the vast task of social rebuilding that needs to be dared if life for all men is to be made full and free.

In and through the change and confusion of these bewildering times, we are made confident by the divine promise, "As Thy day, so shall Thy strength be."

Thou hast made us to be Thy temples. Grant that the sacred places of our inner lives may harbor nothing unworthy of our high calling in Thee:

"The ruins of our soul repair,
And make our heart a house of prayer."

In the Redeemer's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, March 6, 1968, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, and I

suggest that the attachés of the Senate inform Senators that this may be a live quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk called the roll, and the following Senators answered to their names:

	[No. 36 Leg.]	
Byrd, W. Va.	Holland	Miller
Cannon	Javits	Mondale
Cooper	Kuchel	Talmadge
Ervin	Lausche	Thurmond
Gore	Mansfield	
Hart	Metcalfe	

Mr. BYRD of West Virginia. I announce that the Senator from Minnesota [Mr. McCARTHY], the Senator from Maine [Mr. MUSKIE], and the Senator from Rhode Island [Mr. PASTORE] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. MORTON] is necessarily absent.

The Senator from Illinois [Mr. DIRKSEN] is absent by leave of the Senate because of death in his family.

The PRESIDING OFFICER (Mr. CANNON in the chair). A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to order the presence of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Aiken	Bartlett	Boggs
Allott	Bayh	Brewster
Anderson	Bennett	Brooke
Baker	Bible	Burdick

Byrd, Va.	Hollings	Pell
Carlson	Hruska	Percy
Case	Inouye	Prouty
Church	Jackson	Proxmire
Clark	Jordan, N.C.	Randolph
Cotton	Jordan, Idaho	Ribicoff
Curtis	Kennedy, Mass.	Russell
Dodd	Kennedy, N.Y.	Scott
Dominick	Long, Mo.	Smathers
Eastland	Long, La.	Smith
Ellender	Magnuson	Sparkman
Fannin	McClellan	Spong
Fong	McGee	Stennis
Fulbright	McGovern	Symington
Griffin	McIntyre	Tower
Gruening	Monroney	Tydings
Hansen	Montoya	Williams, N.J.
Harris	Morse	Williams, Del.
Hartke	Moss	Yarborough
Hatfield	Mundt	Young, N. Dak.
Hayden	Murphy	Young, Ohio
Hickenlooper	Nelson	
Hill	Pearson	

The PRESIDING OFFICER. A quorum is present.

INTERFERENCE WITH CIVIL RIGHTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The clerk will state the bill by title.

The BILL CLERK. A bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none.

The Senate resumed the consideration of the bill.

APPROVAL OF LONG-TERM CONTRACTS FOR DELIVERY OF WATER FROM NAVAJO RESERVOIR, N. MEX.

Mr. ANDERSON. Mr. President, I yield myself 1 minute.

I ask that the Chair lay before the Senate a message from the House of

Representatives on Senate Joint Resolution 123.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the joint resolution (S.J. Res. 123) to approve

long-term contracts for delivery of water from Navajo Reservoir in the State of New Mexico, and for other purposes, which was, on page 2, after the fifth line from the top, strike out:

	Water diversion (acre-feet)	Estimated water depletion (acre-feet)	Propose uses
Public Service Co. of New Mexico.....	20, 200	16, 200	Thermal-electric generation.
Southern Union Gas Co.....	50	50	Pump cooling.
	20, 250	16, 250	

And insert:

	Water diversion (acre-feet)	Estimated water depletion (acre-feet)	Proposed uses
Public Service Co. of New Mexico.....	20, 200	16, 200	Thermal-electric generation.
Southern Union Gas Co.....	50	50	Pump cooling.
Utah Construction and Mining Co.....	44, 000	35, 300	Thermal-electric generation.
	64, 250	51, 550	

Mr. ANDERSON. Mr. President, the House has added an amendment to this joint resolution which would include a contract for the sale of water to the Utah Construction & Mining Co. from the Navajo Reservoir. At the time the Senate considered the legislation there were only two contracts before us which had been submitted by the Secretary of the Interior. Before the House acted, the third contract was submitted to Congress and it has been included. The State of New Mexico supports this contract and therefore, Mr. President, I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico.

The motion was agreed to.

ORDER OF BUSINESS

Mr. JAVITS. Mr. President, I yield myself 30 seconds, and ask unanimous consent to proceed out of order.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 3110, S. 3111, AND S. 3112—INTRODUCTION OF BILLS TO AID MINORITY VIETNAM VETERANS, MAKE VA HOUSING, TRAINING, AND COUNSELING BENEFITS AVAILABLE IN CENTRAL CITY SLUM AREAS

Mr. JAVITS. Mr. President, on January 30, the President of the United States laid before both Houses of Congress a special message on veterans' benefits. In the course of that message, the President referred to Abraham Lincoln's invocation to the Nation "to care for him who shall have borne the battle and for his widow and orphan."

I agree with the President's message, and it should be emphasized that these returning veterans represent, not only an obligation placed upon American society, but also a challenge and an opportunity presented to it.

In that context, I believe that the package of GI benefits, even if amended as proposed by the President's message, is not complete. Increasing the maximum

guarantee on GI home loans—indeed, even the existence of home loan guarantees—means little to those veterans who are unable to find adequate housing; skill-training in the Armed Forces means little to those veterans who are unable to find employment in skilled, clerical, and managerial positions.

The GI bill of rights—and its subsequent extensions—has had an enormous impact on American society. It has permitted tens of thousands of Americans—who might never have had the opportunity—to acquire education and training, and to purchase homes. It has thus given them the tools of social mobility. The enormously wide dispersion of affluence in this Nation, the great increase in the number and percentage of the college educated, the explosion of the suburbs—all of these revolutions which have characterized American society since the Second World War, have been accelerated—in some cases, caused—by the broad extension of GI benefits. Thus, the Second World War and the Korean conflict represent, not only events of historical significance but also domestic social watersheds.

Despite all the tragedy and dissension which have characterized our involvement in Vietnam, let us not forget that it, too, will inevitably represent a watershed in the social history of this Nation.

For almost 3 years, this country has had large numbers of combat troops committed to the war in Vietnam. The growing intensity of the war—as well as of the domestic debate over our involvement—must not cause us to lose sight of the burdens borne by the individual combat soldiers. These men are now returning to civilian life in increasing numbers. Their sacrifices cannot be ignored once they have put aside their uniforms and their weapons.

No matter what the purposes of our involvement, no matter the ideals that may motivate our efforts, for many of these soldiers military service in Vietnam has afforded them their first opportunity to contribute to a national effort on a basis of equality and full human worth. It is an indictment of our society that such opportunity could occur only in uniform, only in the context of armed conflict.

Nonetheless, this has occurred. Surely these men will seek—and rightfully expect—full participation in all aspects of American society and an equal opportunity to share in its rewards. No man who has, quite literally, put his life "on-the-line" for his country should face limited opportunity or discrimination in the pursuit of job, education or shelter. As the Vice President of the United States has said:

You can't ask a fellow American to fight and die in Vietnam and then relegate him to second class citizenship when he comes home.

In the last few years we have taken tremendous steps forward in guaranteeing such equality—in voting, in employment and, most importantly, in the measure that is before this body at this very moment, in housing. However, much remains to be done, in particular, we must round out the program of veterans' benefits, we must structure veterans' programs so that they are relevant to the realities—to the obstacles and opportunities—present in American society today and which these returning veterans must face.

Accordingly, I introduce for appropriate reference three bills to amend the veterans law and to extend GI benefits.

The first of these bills would amend the home loan provisions of the veterans law. It would expand the program of direct VA loans for the purchase or construction of homes so as to include veterans living in the ghettos of our cities. Many of our veterans, not yet able to purchase homes in a totally free market, are forced to live in depressed urban areas. Often they cannot obtain mortgages through normal private channels. Such veterans cannot take full advantage of the home loan guaranty program. Indicative of this need, in October 1967 the Bureau of Labor Statistics reported that a much lower percent of nonwhite veterans had obtained GI home loans. According to figures supplied by the Veterans' Administration, as of late 1962 and early 1963, 14 percent of nonwhite Second World War and Korean war veterans had obtained GI home loans and another 12 percent of the nonwhite veterans had tried but failed to obtain such loans. The comparable figures for white veterans were 34 and 7 percent.

For these veterans, increasing the maximum guarantee on veterans home loans, as requested by the President, in and of itself, is not the answer. Under present law, the Administrator of Veterans' Affairs, if he finds that the veteran is living in a rural area, or in a small city or town in which mortgages are not readily available, may designate such an area as a "housing credit shortage area." In these areas, the VA may extend direct home loans and is not limited to guaranteeing mortgages. This provision was inserted in the law, when, following the Second World War, we discovered that many veterans could not obtain normal mortgages. At that time, as a Representative, I was active in the effort to expand the law in this manner. We face a similar situation today, but it is found in the depressed areas of our cities. Many of our current veterans are returning to urban

areas in which mortgages are similarly unavailable. I believe that the Federal Government should assume the credit risk in this situation, for the social benefit far outweighs the economic cost. Accordingly, the bill I introduce today would amend section 1811 of title 38 to include a "depressed urban area" as a possible area in which direct home loans might be extended.

There also must be substantial improvement and expansion of VA counseling services. The Veterans' Administration is the one agency which must make at least one contact with a veteran after he has returned to civilian life. We must fully capitalize on this opportunity by broadening the scope of this counseling and providing for it in such locations and on such a basis to make it truly available to those who most need it. About 750,000 men are discharged from the military services each year. All are contacted; all can be counseled by the Veterans' Administration.

Second, I introduce today a bill to give the Veterans' Administration new authority to provide counseling and technical assistance to veterans with regard to business and home loans. This would include advising veterans as to available housing, and advising and assisting them to utilize fully housing rights and benefits available to them under all laws. The technical assistance to veterans would seek to promote and train veterans as owners and managers of businesses. To make this assistance meaningful this bill would extend the business loan program to cold war and Vietnam veterans.

Counseling services can and must be brought to the areas of greatest need. The VA's offices—and particularly the new "one stop" centers—should be located in the depressed areas of our core cities. It is interesting to note that the new one-stop center in New York City is located in downtown Manhattan. Compare the availability of this service to our deprived citizens to the readiness with which he can obtain information about joining the Armed Forces: there are two Armed Forces recruiting centers in Harlem, one in the East New York section of Brooklyn and two in the South Bronx—all are areas affected by poverty. If we make this effort to induce residents of our ghettos to enlist in the military service, certainly we can make the same effort to reach them once they have returned to civilian life. Moreover, the hours of VA centers should be suited to the needs of the recipients of the counseling services—they should be long and flexible—and the counseling services should be brought to the veterans—into their neighborhoods.

Finally, we must take action to guarantee useful employment for our returning veterans—employment which will permit them to use their skills and leadership, and to advance. As President Johnson noted, most veterans will go into the private sector. The Senate is soon to consider a resolution which would express the sense of the Congress that private employers give job priority to returning servicemen. I support this resolution—but clearly we must do far more than express our sentiment.

In his message to the Congress, the President expressed his concern that some returning veterans had such difficulty finding jobs that they had to rely on unemployment compensation. Throughout the Nation 174,932 recent discharges—roughly speaking, men who had served in the Armed Forces within the prior year—filed for unemployment compensation and drew those benefits for an average total of 10.7 weeks during fiscal year 1966. In New York State alone, over 9,000 veterans filed for unemployment during the comparable period and were unemployed for 9.2 weeks. The national figures for fiscal year 1967 are 161,878 veterans who drew unemployment compensation for an average total of 9.3 weeks. These statistics hardly present a reassuring picture of material security and economic opportunity for the many men who have served in the service of their Nation during a critical period.

Third, to afford our veterans the fullest opportunity possible to obtain job training, I also introduce a bill which would permit a veteran to use his educational assistance for courses which have been in existence for less than 2 years, provided the Administrator of Veterans' Affairs specifically waives the requirement. The purpose of this change is to grant the Administrator flexibility. In the next few years we will, hopefully, witness many new training opportunities made available to veterans through the cooperation of Government agencies, private concerns, and labor unions, as for example in the new electronics, automation, or computer techniques. Under present law, such courses are effectively foreclosed to veterans—no matter their value and relevance to his needs—merely because they are new. I am aware of the dangers posed by such a change, but a careful use of the Administrator's discretion will broaden educational and training opportunities for veterans without permitting the use of veterans' benefits for programs without substance. The Administrator should have this flexibility.

It is my intention also to offer these three bills as amendments to the bills dealing with veterans benefits currently being considered by the Veterans' Affairs Subcommittee. I hope that these measures will be considered at the same time.

The young men who are being asked to bear the burdens of the bloody and tragic conflict in Vietnam are acquiring leadership traits and self-assurance which will be invaluable in civilian life. We must guarantee that we have created an open society, a society of opportunity, receptive to the talents, skills, and commitments of our returning combat soldiers. We have far to go in creating such a society. This fact is dramatically reflected in the disparity in reenlistment figures. In October 1967 the Bureau of Labor Statistics reported that 46 percent of nonwhites reenlist after their first term in the Armed Forces, as compared to 18 percent of the whites.

These men are expressing a belief that opportunity and security will be greater for them in uniform than in civilian life. We cannot accept this situation. It

is our obligation to insure that, at least for those men who have been asked to bear the burdens and to pay the horrible price of Vietnam combat, the society for which they have fought and to which they will one day return, is also one of full opportunity.

The PRESIDING OFFICER. The bills will be received and appropriately referred.

The bills, introduced by Mr. JAVITS, were received, read twice by their titles, and referred as indicated:

S. 3110. A bill to amend section 1811 of title 38, United States Code, so as to authorize the Administrator of Veterans' Affairs to make direct loans for housing under such section in certain urban areas whenever private capital is not available for such purpose; to the Committee on Banking and Currency.

S. 3111. A bill to amend chapter 37 of title 38, United States Code, in order to provide counseling and technical assistance to veterans eligible for home and business loans under such chapter, and for other purposes; and

S. 3112. A bill to amend section 1675 of title 38, United States Code, in order to authorize the Administrator of Veterans' Affairs to waive the requirement that a course of training must have been in operation for 2 years or more by an educational institution before such course may be approved for the enrollment of eligible veterans; to the Committee on Labor and Public Welfare.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERFERENCE WITH CIVIL RIGHTS

The Senate resumed the consideration of the bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes.

Mr. COOPER. Mr. President, I yield myself 5 minutes.

The pending business is an amendment which I offered to the Dirksen substitute. It is amendment No. 556. It proposes to strike the word "discourage" on page 2, line 21, and substitute "prevent"; and, on page 5, line 5, to strike the word "discourage" and substitute "prevent".

Mr. President, the word "discourage" appears again in the housing section of this bill on page 26, line 15.

I have offered amendment No. 595. I ask unanimous consent to call up amendment No. 595 and ask that the two amendments, No. 556 and No. 595, be considered and acted upon en bloc.

Mr. JAVITS. Mr. President, reserving the right to object—and I do not wish to object—we must preserve our rights. Does this mean we shall not have authority to seek a separate vote on each amendment?

The PRESIDING OFFICER. If the unanimous-consent request is agreed to,

to consider these amendments en bloc, they would be acted on by one vote.

Mr. JAVITS. Then, I ask the Senator momentarily to withhold his request.

Mr. COOPER. Does the Senator object?

Mr. JAVITS. I would much rather the Senator did not put me in that position, if the Senator will hold off momentarily.

Mr. COOPER. Very well, for a time.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. AIKEN. I ask the Senator from Kentucky—I have not really studied the amendment, but I gather it is his idea that if we did more preventing, we would be less discouraged; is that correct?

Mr. COOPER. Yes.

Mr. President, I am sorry there are not more Senators present, because this is a rather difficult subject to explain. It may seem technical, but it is not technical; it is substantive and I believe my changes should be adopted.

As I have said, there are three sections of the pending bill in which this word is used. On page 2, line 21 of section (b) (1). I should like to read the language.

It says:

Whoever, whether or not acting under color of law, by force or threat of force willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with,

(1) any person because he is or has been, or in order to discourage such person or any other person or any class of persons from—

This language is followed by a list of the constitutional rights, or rights which have been prescribed by Congress under the interstate commerce clause—rights, the exercise of which the language I have quoted is designed to protect. But in using the word "discourage" the section quoted goes too far.

The language of the section I have quoted, and the language of other sections which are generally similar, lay out the elements of a criminal offense. One is that the person who is trying to prevent the exercise of a constitutional right acts with force or threat of force, or commits some acts which are physical, or are intrusions upon the personality of the complainant.

Section 1 sets out the necessary motive of this person who is charged with a criminal offense in having attempted to prevent the exercise of a constitutional right. That language is:

Any person because he is or has been—

That is to say, he is or has been attempting to exercise his constitutional rights—

or in order to discourage such person or any other person or any class of persons from exercising a constitutional right.

Think of what we are doing if we retain the word "discourage." An individual whose acts "discouraged" a person from exercising a constitutional right—a subjective determination—could then be charged under the criminal sanctions.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. COOPER. I yield myself 5 additional minutes.

My first argument for this change is that I do not know of any precedent in

criminal law which would establish as a crime, or element of a crime, the discouragement of another. A criminal action requires that certain acts have a definite consequence, both being ascertainable by proof: the acts of the person and the consequences which result.

In this case, the first element is present: that a person who is charged, with the prevention of the exercise of a right, does an act. But a second element is not present; that is, the consequences of such acts against another person. The individual making the complaint could simply say "I was discouraged from exercising such a right."

It is a subjective result, depending upon what the individual states. He does not say, "I did not exercise the right" and "I was prevented from exercising the right." He might simply say, "I was discouraged from exercising the right."

We know that in criminal law, to convict a person, he must be proved guilty beyond reasonable doubt. Here, we would make an element of a criminal action the subjective attitude of a person claiming to be offended—that he is discouraged from undertaking an act.

My word "prevent," I submit, is proper, because if persons act with force or threat of force against others because they are seeking to exercise constitutional rights, it is evidently only because they seek to prevent—I repeat prevent—such exercise of a constitutional right. But I would argue that if a person can be convicted upon the proof of an individual saying, "Well, I was discouraged somewhat; I did not feel I should go ahead and exercise my right," then the language of the bill goes too far.

There is no precedent in law and logic for using the word "discourage," and I hope very much my amendment will be agreed to.

Mr. JAVITS. Mr. President, I yield myself 2 minutes.

Mr. President, again may I plead for the attention of the Senate, because this is not a simple problem.

First, let me say I had the greatest sympathy with Senator Cooper when I read his amendment. On investigation it appears, however, that it will not accomplish the purposes of this law, if we pass it, or meet the situation factually in the field. If you prevent A from doing something that he has a right to do, that is a crime; but in this particular field if you intimidate or use force on B, that also can, though it would not be operative in law, discourage or change the disposition of A to assert his rights.

That is exactly what has happened. Suppose the Ku Klux Klan beats another Negro, or kills another Negro, in order to intimidate the whole group, that way preventing the whole group. The whole group could still vote, but nonetheless they are effectively inhibited.

We tried to find a satisfactory word. I think "discourage" is a word, as Senator COOPER says, that in a criminal statute is a little too ephemeral. I found another word in "Black's Law Dictionary." The word is "deter."

To deter is:

To discourage or stop by fear, to stop or prevent from acting or proceeding by danger, difficulty, or other consideration which dis-

heartens or countervails the motive for the act.

Citing a Georgia case, incidentally. Very interesting; it is a southern case. It is the case, if anybody wants it, of *Haynesworth v. Hall Construction Co.*, 44 Georgia Appeals.

That is precisely the word we are trying to reach. I would be delighted if Senator COOPER could see his way clear to conform with what is our problem.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. JAVITS. Thirty seconds more.

"Prevent" will not do it. I think "discourage" is too ephemeral. But this is a word of art which is exactly right, and which is exactly in point, and I would hope very much, Mr. President, that Senator COOPER, than whom there is no other Senator I admire more, and anything he says I listen to with my heart as well as my mind, and I wish he would be persuaded, because I think this is right, and I think I want to do exactly what he wants to do.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 14940) to amend the Arms Control and Disarmament Act, as amended, in order to extend the authorization for appropriations, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 14940) to amend the Arms Control and Disarmament Act, as amended, in order to extend the authorization for appropriations, was read twice by its title and referred to the Committee on Foreign Relations.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERFERENCE WITH CIVIL RIGHTS

The Senate resumed the consideration of the bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes.

Mr. COOPER addressed the Chair. The PRESIDING OFFICER (Mr. PROXMIER in the chair). The Senator from Kentucky is recognized.

Mr. COOPER. Mr. President, I yield myself 4 minutes.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 4 minutes.

Mr. COOPER. Mr. President, I wish to say again that although the amendment I have offered may appear to be merely legalistic or technical, it is not so. It deals with a substantive body of law. If the proper language is not substituted in the sections of the bill, I believe it would violate not only the precedent in criminal law but it would also impose sanctions against individuals upon vague grounds. I have studied this language very carefully over the last several days. It appears to me, and I believe I have some agreement even from the sponsors of the bill. If the language is not changed, it would allow a criminal complaint against an individual because of a complainant's state of mind. The complainant might say, "I was discouraged from exercising constitutional rights," or, "I was afraid I could not exercise my constitutional rights." There is no basis in law and there should be no basis in law to convict a man because another says, "I was discouraged."

Mr. President, this is the point and it is one with which I believe the sponsors of the bill should agree.

Furthermore, constitutionally, words alone are not a ground for criminal action unless there is some immediate effect or consequence, such as words which provoke a breach of the peace. People in this country speaking against the Government of the United States, urging revolution, insurrection, and disobedience to law—words that we deplore. I deplore words that are dangerous. But words are not punishable unless they result in criminal action or a present danger. Carmichael and others utter threats against the United States. They are shameful and dangerous. Yet under the Constitution they are protected unless there is a clear and present danger that the acts they recommend might occur.

But under this bill if a person by words discouraged another from voting or exercising other constitutional rights, the person who uttered the words might be charged with a crime. I do not believe that this is right, and I do not believe that there is any basis in law or justice for it.

There has been suggested the word "deter." The word carries the same defect as "discourage," simply that one claiming to be offended might say—subjectively—"I was deterred. I did not exercise my right because something was said which deterred me from doing so."

I shall offer another word in substitution, a word which has a firm grounding in law.

The PRESIDING OFFICER. The Senator's 4 minutes have expired.

Mr. COOPER. Mr. President, I yield myself 3 additional minutes.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 3 additional minutes.

Mr. COOPER. Mr. President, I shall ask that the word "discouraged" be deleted and that there be substituted in its place the word "intimidate." The word

"intimidate" is a legal word of art and it has been accepted in law. I shall give the definition of the word "intimidate" from Black's Law Dictionary. It states, "unlawful coercion, duress, being in fear." A number of cases can be cited which show the word "intimidation" as having legal effect and consequences.

In addition, Mr. President, many States have statutes using intimidate in the sense of the bill before us—such as the intimidation of voters.

I offer the word "intimidate" instead of "discourage."

The PRESIDING OFFICER. Does the Senator ask permission to modify his amendments?

Mr. COOPER. Mr. President, I ask permission to modify my amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, that one is satisfactory to the Senator from Michigan [Mr. HART] and to me, and at this point we would ask that the Senator take care of his other parts.

Mr. COOPER. Mr. President, there are several sections of the bill which have the same defect. I have called up amendment No. 556, which is the pending business. I would ask unanimous consent also to call up my amendment No. 595.

The PRESIDING OFFICER. Does the Senator request unanimous consent to make modification of this amendment?

Mr. COOPER. Mr. President, I ask unanimous consent to modify my amendments.

The PRESIDING OFFICER. Without objection, the modification will be made.

The question is on agreeing to amendment No. 556.

Mr. JAVITS. Mr. President, are we voting on all of them now or just one amendment?

The PRESIDING OFFICER. Does the Senator from Kentucky ask unanimous consent to vote on all amendments?

Mr. COOPER. All that I have offered.

Mr. JAVITS. Mr. President, may we have the pagination? I know two now: Page 2, line 21; and page 5, line 5.

Mr. COOPER. The Miller amendments also have the word.

Mr. JAVITS. And page 27, line 1.

The PRESIDING OFFICER. The question is on agreeing to the amendments (Nos. 556 and 595) of the Senator from Kentucky [Mr. COOPER], as modified, en bloc. [Putting the question.]

The amendments (Nos. 556 and 595) of the Senator from Kentucky [Mr. COOPER], as modified, were agreed to.

Mr. HART. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that Mr. J. Terry Emerson, who is with the legislative counsel of the Senate, be permitted the privilege of the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the amendment of the Senator from Illinois number 554, as amended.

Mr. BYRD of West Virginia. Under the unanimous-consent agreement of yesterday, what is to be the pending business?

The PRESIDING OFFICER. Under the unanimous-consent agreement, the Senator from West Virginia can be recognized to call up his amendment.

Mr. BYRD of West Virginia. Mr. President, I understand the distinguished senior Senator from Kentucky [Mr. COOPER] has an amendment which he would like to have considered at this point. I ask unanimous consent that, notwithstanding the unanimous-consent order of yesterday, the Senator from Kentucky [Mr. COOPER] may be recognized to bring up an amendment, after which I may be recognized to bring up my amendment.

The PRESIDING OFFICER. Is there objection?

Mr. MILLER. Mr. President, reserving the right to object, I would like to ask the Senator from Kentucky if I may see the amendment.

Mr. COOPER. Mr. President, I suggest the absence of a quorum.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I repeat my unanimous-consent request.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The Senator from Kentucky is recognized.

AMENDMENT NO. 567

Mr. COOPER. Mr. President, I yield myself 4 minutes.

The PRESIDING OFFICER. The Senator from Kentucky yields himself 4 minutes.

Mr. COOPER. Mr. President, my amendment has been agreed to by the managers of the bill, but for the purpose of explanation—

The PRESIDING OFFICER. Will the Senator identify his amendment so the clerk can state it?

Mr. COOPER. Amendment No. 567. I call it up and ask that it be made the pending business.

The PRESIDING OFFICER. The amendment will be read by the clerk.

The assistant clerk read the amendment (No. 567), as follows:

On page 4, line 14, after "guests" insert a comma and the following: "other than an establishment located within a building which contains not more than five rooms for rent or hire and which is actually occupied by the proprietor of such establishments as his residence."

Mr. COOPER. Mr. President, I ask unanimous consent to modify my amendment as follows—

The PRESIDING OFFICER. The clerk will read the modification.

Mr. COOPER. Mr. President, I ask that the modification be read.

The assistant legislative clerk read the modification, as follows:

On page 5, line 22, after the period insert a new sentence as follows: "Nothing in subparagraph (2) (F) or (3) (A) of this subsection shall apply to the proprietor of any establishment which provides lodging to transient guests, or to any employee acting on behalf of such proprietor, with respect to the enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of such establishment if such establishment is located within a building which contains not more than five rooms for rent or hire and which is actually occupied by the proprietor as his residence."

The PRESIDING OFFICER. Is there objection to the modification? Without objection, the modification is made.

Mr. COOPER. Mr. President, I yield myself 3 minutes.

First, let me say that the amendment which I have offered has nothing to do with title II of the bill before us which deals with "Fair Housing." The amendment which I have offered deals with public accommodations.

The amendment which I have offered does not create any new exemption in the present law regarding public accommodations. The Senate will remember that Congress wrote into the Civil Rights Act of 1964 an exemption which was called the "Mrs. Murphy" exemption. The first time I ever heard of the expression was when my seat mate, the distinguished Senator from Vermont [Mr. Aiken], spoke of those who should be allowed to operate their small roominghouses without interference and termed them "Mrs. Murphy" enterprises. Thus the exemption was written into the law by Congress. It is the law today. My amendment would define in this bill the rights protected in connection with the portion of existing law known as the "Mrs. Murphy amendment."

Mr. STENNIS. Mr. President, may we have order so that the speaker may be heard?

The PRESIDING OFFICER. The Senate will be in order.

Mr. COOPER. The 1964 Civil Rights Act does not give a right to any individual to obtain lodging in a "Mrs. Murphy" type boardinghouse of five rooms or less, for such category of boardinghouses are exempt under the provisions of title II, section 201(b)(1) which reads as follows:

Any inn, hotel, motel or other establishment which provides lodging to transient guests, other than an establishment located within a building which contains no more

than five rooms for rent or hire and which is actually occupied by the proprietor of such establishment as his residence.

Second, there is no corresponding exemption in the pending Dirksen substitute covering boardinghouses of five rooms or less.

Third, therefore, the Dirksen substitute subjects a proprietor of a "Mrs. Murphy" type boardinghouse to criminal liabilities if the proprietor takes steps to remove a prospective tenant who will not leave when she demands it even though the prospective tenant has no Federal rights to lodging in her boardinghouse.

Under sections 245(b)(2)(F) and 245(b)(3)(A), of the Dirksen substitute, a present or prospective tenant is protected against interference because of race or color in his right to enjoy accommodations in all types of boardinghouses, including boardinghouses of five rooms or less. The tenant's protection extends to interference by the proprietor as well as by outside third parties. Under 245(b)(3)(A), not only the tenant or prospective tenant but also civil rights workers aiding a tenant are protected against interference by the proprietor or outside third parties.

Mr. President, my amendment would make the following changes:

First. A present or prospective tenant of a boardinghouse remains protected against interference because of race or color by the proprietor or by outside third parties, except that where a boardinghouse contains but five rooms or less the proprietor would be exempted from section 245(b)(2)(F).

Second. This exemption for a proprietor of a boardinghouse of five rooms or less would also be incorporated in paragraph 245(b)(3)(A). Under this provision civil rights workers who may be aiding a tenant or prospective tenant obtain lodging in a boardinghouse continue to be protected against interference by the proprietor or by outside third parties but where the boardinghouse contains but five rooms or less the proprietor would be granted an exemption.

Third. My amendment would make no change in section 245(b)(3)(C) which will continue to apply to protect a proprietor from interference by outside third parties with the proprietor's desire to provide lodging to minority groups, notwithstanding that the number of rooms of the boardinghouse may be less than five.

As I say, my modified amendment does not create any new exemption, but simply makes clear the protections which would apply in any event, under "Mrs. Murphy" provisions.

Mr. HART. Mr. President, will the Senator yield, on my time?

Mr. COOPER. I yield.

Mr. HART. All of us sense the problem to which the Senator from Kentucky, by his amendment, seeks to respond. I understand that he has given some thought to the possibility that the phrase "the proprietor of any establishment which provides lodging," which is included in his amendment, might better read "the proprietor of any establishment covered under this section solely because it provides lodging."

Mr. COOPER. The language which I

have used is the language of the "Mrs. Murphy" exemption in existing law. Why is that not sufficient?

Mr. HART. Only for the reason that there is a possibility that a different type of facility, let us say a restaurant, which is covered under the earlier act, might also make available several rooms for transients, and the amendment, unless it is clarified as I suggested the Senator from Kentucky might want to clarify it, might thus be construed to exempt that restaurant. In other words a facility otherwise covered by the language of the bill might seek to evade coverage by placing itself in addition under the language of this amendment.

Mr. COOPER. Mr. President, I think we would run into difficulty if we should change the language. I understand what the Senator from Michigan is trying to do. But the "Mrs. Murphy" amendment was adopted in 1964, and was interpreted at that time. It was made clear that it could not evade its purpose. I believe the interpretation in that act would be sufficient to take care of any case where someone wrongfully and unlawfully tried to evade the law and its purpose.

I think if we change the existing language, we may create more problems; but as a part of the interpretation of this amendment, I will agree that the example the Senator has given would be a valid one.

Mr. HART. On that basis, perhaps we have gone as far as we should push.

The PRESIDING OFFICER. The question is on agreeing to the amendment (No. 567) of the Senator from Kentucky, as modified.

The amendment was agreed to.

Mr. JAVITS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GRUENING in the chair). Without objection, it is so ordered.

MESSAGE FROM THE HOUSE— ENROLLED BILL SIGNED

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (S. 2419) to amend the Merchant Marine Act, 1936, with respect to the development of cargo container vessels, and for other purposes, and it was signed by the Vice President.

The message communicated to the Senate the intelligence of the death of Hon. Joseph W. Martin, Jr., former Member of the House for 21 consecutive terms, and Speaker of the House of Representatives of the 80th and 83d Congresses, and transmitted the resolutions of the House thereon.

VIETNAM MISSION—A RETURN TO FIRST PRINCIPLES

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that an editorial entitled "Vietnam Mission: A

Return to First Principles," published in the Washington Post of yesterday, be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

VIETNAM MISSION: A RETURN TO FIRST PRINCIPLES

It is hard to argue against the need for additional American troops in Vietnam to regain the initiative lost in recent weeks. If our forces already on hand are endangered by being spread too thin, they must be reinforced. But the dispatch of more troops by itself will not answer the critical questions:

What will we do with the initiative when we regain it, and what is to stop the enemy from trying to gain it back?

Is there not some upper limit to the effectiveness of these reflexive responses, beyond which the risk of wider war outweighs any conceivable gain in the security and stability of South Vietnam?

Which is more likely to persuade Hanoi to negotiate or simply back away—ever-increasing applications of American firepower and manpower, or a sustained and restrained demonstration of American staying-power and of steadily increasing South Vietnamese capacity to find their own salvation by themselves?

These were valid questions before the Tet offensive. They are all the more valid now. For the critical new element in the war is not necessarily to be found in the tide of battle. History records that it can turn again—and again. The new element is the near certainty that a burden and a sacrifice which have been borne narrowly by professional soldiers and draftees and that relatively small segment of the American public directly touched by casualties is now about to be spread more widely over the populace as a whole. We are reaching the end of those readily available resources in manpower and money which have permitted us for so long to engage in a war larger than Korea without seriously disrupting the life of the average citizen. Proposals for higher taxes, economic controls, reserve callups, and deeper draft calls must almost surely accompany any substantial increase in our fighting forces.

So there are going to be new doubts and a broader, more intense debate. And because dissent is the natural enemy of a strategy which rests so heavily on the appearance of resolve, it is all the more urgent that these deliberations be purposeful; that the outer boundaries of our realistic options be fully recognized; that, at long last, there be an understanding of the restraints and inhibitions in a limited war for limited ends.

It may even be necessary to begin by acknowledging miscalculation—or failure—in the strategy that has carried us from the Tonkin resolution of 1964, to the first tentative landing of combat troops in early 1965 and the beginning of the bombing of the North, and on to the present involvement of more than 500,000 United States combat troops in a struggle with no clearly visible end-result in sight.

At the outset, there was a reason for projecting an open-endedness to our effort. We were embarking on a campaign of "graduated response" to enemy initiatives. By carefully measuring each increment, while leaving open our readiness to widen the war if need be, the idea was to persuade the North Vietnamese to back down, or at least back off, without provoking a confrontation with the Russians or the Chinese. In the early stages, when we had more scope for enlarging our effort in relative safety, there was more reason to hope that this steady intensification of pressure would prevail.

There are some who now say that just one more increase in our application of military pressure will do the trick. Perhaps it will. But

we should be prepared, by past experience, for the possibility—indeed the probability—that it won't. And we must frankly recognize that if it doesn't, there is nothing in our current strategy that would logically argue against yet another expansion of our effort, and another, and another.

This prospect is surely grim enough to encourage a re-evaluation of our Vietnam mission, and a return to first principles.

The first principles were easier to state in August, 1964, when Senator Thurmond asked Secretary Rusk, at hearings on the Tonkin Resolution, whether "we have a policy to win the Vietnam war so we can get out of there, or are we going to stay in there indefinitely?" Mr. Rusk replied:

"I think a highly relevant factor here is that there are a billion and a half people in Asia, half of them in the Communist world and half of them in the Free World. I don't see how we are going to get a long-range solution to this problem on the basis of our trying to go in there, into this vast mass of people, and try to do a job as Americans in lieu of Asians. I think that it is important for us to try to assist those Asians who are determined to be free and independent to put themselves in a position to be secure."

Harking back to other strictly limited American efforts of the same sort, such as in Greece, Mr. Rusk added:

"These and other problems have all been troublesome and difficult and hard to manage, but the end result it seems to me, ought to be a stable situation with free and independent nations capable of maintaining their own security rather than to try to bring everything to a great cataclysm because, on that basis, there isn't much to settle any more in terms of organized societies maintaining their own independence."

It would be too much to say that Vietnam has now reached the verge of "cataclysm" or that "there isn't much to settle anymore" in terms of an organized society maintaining its own independence. But there is little evidence, in the second readings now being given to the ravages of the Tet offensive, that the South Vietnamese are close, or even getting closer, to the day when they can "put themselves in a position to be secure." Indeed, there is more reason than ever to wonder whether an increasingly more massive American military effort does not sap the will of the South Vietnamese to perform that part of the "pacification" effort which President Johnson and President Kennedy have both agreed "only they can do for themselves."

If an overbearing American presence does not necessarily encourage the self-determination that is at the core of our hopes for South Vietnam, a towering preoccupation with Vietnam, already absorbing so much of our resources, does not necessarily encourage confidence in the American commitment to promote self-determination as a universal principle. We could keep our pledge to South Vietnam and in the process consume our capacity or wear thin our will to make our pledges meaningful elsewhere in the world.

This is the heart of our dilemma and rarely has it been more concisely stated in the recent study by a group of 14 Asian scholars, including some of the Administration's most sympathetic supporters. Few analyses have been more fervent in support of our Asian role and our Vietnam mission. But few have stated more eloquently the need for "flexibility" and acceptance of "complexity" for the concept of "partial commitment" and the avoidance of extremes.

"Nothing would do more to strengthen American support for our basic position," the report declared, "than to show a capacity for innovation of a de-escalatory nature, indicating that there is no inevitable progression upwards in the scope of the conflict. Such a step or steps need not—indeed should not—be massive. Moreover they should be

experimental in character, subject themselves to alteration if necessary.

"At stake, however, is a principle essential to the survival of the policies of limitation."

There is going to be debate, a people suddenly confronted with a spreading war burden will want to know why and to what end. There will inevitably be increased pressure from the extremes—to get out, or to get on with it by any means. More than ever there is now a need for sober consideration of alternatives: of military redeployment away from the frontiers to force the enemy to move further from its safe havens and supply sources; of a more passive role for American forces and a more active one for the South Vietnamese; of greater emphasis on pacification among the people, less on search-and-destroy and body counts; of a return, in short, to first principles.

While we are compelled to deal now with the crisis at hand, we need at the same time to clarify our concepts of this country's mission and settle on methods consistent with realistic and conservative estimates of our capabilities and with careful count of the risks we are prepared to run. There is no doubt a strong impulse to seek a quick decision by expanding firepower and increasing manpower; but it may be more effective to demonstrate our staying power and our sticking power. The knowledge that this country is willing to carry on a sustained effort and wage a prolonged although limited war might constitute a greater enemy deterrent and a larger inducement to accept a negotiated or de facto settlement.

MARTIN LUTHER KING'S NEW MOVE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that a column entitled "King's New Move and Rights Today," written by Marquis Childs, and published in the Washington Post of yesterday, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

KING'S NEW MOVE AND RIGHTS TODAY (By Marquis Childs)

At the moment when a concerted civil rights movement could bring effective pressure for some of the goals set by the riots commission, the leaders are riding off in all directions. The promise to shut down the capital with "civil disobedience" by Martin Luther King Jr. and his crusade of the poor has further splintered civil rights forces.

Several of his once-loyal allies are opposed to the call for civil disobedience. At a show-down meeting with King calling for a pledge of support Joseph L. Rauh Jr., Washington civil rights leader, said he would have no part of it. This was received in frigid silence by King's far-out backers. Since then Bayard Rustin, a close associate, has pulled away.

As the dissenters see it, King is abandoning the political process. Out of his own frustration and personal failure he is about to engage in an adventure outside the law that can only stiffen the opposition in Congress to all civil rights legislation.

The one-vote margin for cloture in the Senate is testimony to how close the division is. It took an unprecedented four tries to get debate stopped so there could be action on a rights bill with a moderately strong open housing provision. To have failed in that fourth attempt would have been a devastating comment on the report of the riots commission which rated an open housing statutes as essential to meaningful integration.

The House must take up the bill the Senate is expected to pass and the opposition

to open housing there is stiffer. The King eruption coinciding with House consideration could solidify the opponents and kill the whole effort.

Quite apart from the political effect, the hazards of King's crusade are great. He intends to set up a tent city in which several thousand demonstrators, from all over the country, will live during the weeks that he means to show the power of the Negro poor and thereby compel swift action by Congress.

The proposed site of the tent city is the Mall extending from the Lincoln Memorial to the Capitol. This would accommodate at least 3000 demonstrators who would then be free to fan out into the city. If King goes through with what he has threatened they would close down main thoroughfares, National Airport, the Capitol Plaza and other focal points.

But neither the Administration nor the new city government can permit this. Elaborate preparations are well along to insure against serious disruption to the city's life. Police will be backed by Army regulars trained in riot control and theoretically capable of restraining demonstrations that get out of hand without violence.

An ominous parallel suggests what political dynamite is inherent in King's crusade. In 1932, unemployed veterans marched on Washington to demand that Congress act immediately on a bonus. In improvised shacks they camped on the Anacostia flats and promised to stay put until they got a bonus bill. President Herbert Hoover ordered troops under Gen. Douglas MacArthur, chief of staff of the Army, to disperse them. The bonus marchers fled before helmeted soldiers using tear gas.

Obviously, President Johnson cannot use that tactic. But neither can he allow the demonstrators to camp on the Mall in the heart of the city. If they are dispersed without a place to pitch their tents the Government will have to pay their fares back where they came from.

Thanks to King, the civil rights drive is tangled with the movement against the Vietnam war. That helps to explain the opposition of Rauh and other one-time allies. Rauh is working intensely for Sen. Eugene McCarthy's independent candidacy in the conviction that within the political process this is a way to express opposition to the Johnson policy on the war.

Civil disobedience can only hurt McCarthy's campaign and play the game of Administration strategists who jump the opposition with the bearded and the beatniks, the draft burners and the revolutionaries outside all law and order. It will tend to discredit the thousands of young people devoting every spare moment to the organized effort for McCarthy.

It seems a long time ago that those 200,000 marchers moved with such evident good nature, hope and cheer, on August 28, 1963, down that same Mall. They heard King's eloquent call for unity in the movement for equal rights. That may have been the pinnacle in a career that has been ever since in a descending arc.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Symington in the chair). Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting

nominations were communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERFERENCE WITH CIVIL RIGHTS

The Senate resumed the consideration of the bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation and for other purposes.

AMENDMENT NO. 579

Mr. BYRD of West Virginia. Mr. President, I call up my amendment No. 579 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the Record at this point.

The amendment offered by Mr. BYRD of West Virginia, is as follows:

On page 8, lines 4 and 5, strike out "subsection (b) and".

On page 9, line 7, strike out "subsection (b)" and substitute "section 207".

On page 9, beginning with line 8, strike out all through line 2, on page 11.

On page 11, line 5, strike out "sections 203(b) and", and substitute "section".

On page 13, line 11, strike out the section heading "EXEMPTION" and substitute "EXEMPTIONS".

On page 13, line 12, after "Sec. 207", insert "(a)".

On page 13, between lines 20 and 21, insert the following:

"(b)(1) None of the prohibitions contained in this title shall apply to (A) any individual who is not engaged in the trade or business of selling or renting dwellings; or (B) any real estate broker, agent, salesman, or other person while he is acting in accordance with instructions by any individual referred to in clause (A) with respect to the sale or rental of a dwelling owned or rented by such individual.

"(2) For purposes of this subsection an individual shall be considered to be engaged in the trade or business of selling or renting dwellings only if the income from such selling or renting constitutes the principal source of the livelihood of such individual.

"(3) Nothing in this title shall apply with respect to the sale or rental of any rooms or units in a dwelling owned or rented by any individual which contains living quar-

ters occupied or intended to be occupied by no more than four families living independently of each other, if such individual actually occupies one of such living quarters as his residence."

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

Mr. MANSFIELD. Mr. President, will the Senator from West Virginia withhold that for a moment and yield to me?

Mr. BYRD of West Virginia. I am happy to yield to the Senator from Montana.

Mr. MANSFIELD. Would the Senator tell me whether his amendment refers to three houses or two houses?

Mr. BYRD of West Virginia. My amendment refers to three.

Mr. MANSFIELD. Mr. President, would the Senator consider the possibility of having it refer to two houses?

Mr. BYRD of West Virginia. Not at this point.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I would suggest to the attachés that they ask Senators on their sides to come to the floor and listen to the debate, so that we may get on with the business of the Senate. At this rate, not only will we not be able to get out by August 2; we will not get out until Christmas.

SALARIES FOR DISTRICT OF COLUMBIA TEACHERS

Mr. MORSE. Mr. President, I yield myself 2 minutes.

I want to take these 2 minutes to express myself once again, as chairman of the Senate Subcommittee on Education, and as chairman of the Subcommittee on Public Health, Education, Welfare, and Safety of the Senate District Committee, which has jurisdiction over schools, that I have met on two occasions today with separate delegations of schoolteachers from Washington, D.C., who are here at the Capitol having taken a day's vacation from the classroom.

I explained to them, although they were already aware of the views I expressed yesterday, that I hoped they would not stay away from school today. I pointed out to them that I recognized in my speech yesterday that they apparently have the right to do it; and they have exercised that right.

I also pointed out to them that Senator Spence's Fiscal Affairs Subcommittee, of which I am a member, has been willing to consider the Morse teacher's pay bill in a markup session since February 14, but it has not been able to get a report from Mayor Walter Washington on the House passed police and firemen's salary

bill which is essential before we can mark up the teachers' salary bill. We were assured that the report would be filed with our committee either yesterday or today. It was filed yesterday, and I explained to them that Senator Spang had already set March 14 for our executive markup session on the bills and, in my judgment, it would be speedily reported at that meeting.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MORSE. I ask for an additional 2 minutes, on my own time.

I explained to the teachers—and I want to make it clear to the Senate—that it is very important that the teachers' pay bill not be separated from the pay bill for the policemen and firemen. We know, from past experience, that if we separate the pay bills and proceed to act on the policemen's and firemen's pay bill first, we place the teachers at a disadvantage, unfortunately, as far as obtaining needed pay increases for teachers is concerned. Let there be no mistake about it, I am for adequate pay increases for the firemen and policemen. My subcommittee has jurisdiction over public safety proposals and I want decent salaries paid to the policemen and firemen. We make a great mistake, and misunderstanding develops in the corps of teachers, because they are led to believe that favoritism and a discriminatory advantage has been given to the policemen and firemen over the years.

All I want to say on this occasion is that the Morse teachers pay bill, which seeks a beginning salary for teachers at \$7,000, is a fair bill, and it ought to be passed by the Senate, and we ought to take it to conference with the House. As I told the teachers this morning, our problem is to get action on the matter on the House side. I have some reason to believe that our colleagues on the House side are going to be fair to the teachers and are going to proceed to hold hearings.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. I yield myself 1 more minute.

The fact is that teachers here in the Nation's Capital and for that matter in most areas of the United States, are underpaid.

We taxpayers—and I am one of them—have got to face up to the fact that the teachers of this country are entitled to better treatment than they are getting when it comes to their level of pay.

So when the question is raised with me, "Where are you going to get the money, Mr. Senator?" I give my answer again: "With a \$77.2 billion defense budget, the highest by billions in the history of the Republic, with but \$26 billion of it Vietnam-connected, you can take it out of that budget and never notice it, for you are wasting billions of taxpayers' dollars in unjustifiable defense expenditures all around the world."

That is one of the answers to the teachers' pay problems in America.

Mr. SPONG. Mr. President, may I ask the Senator from Oregon to answer a question or two on my time?

Mr. MORSE. I shall be happy to.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPONG. I ask the Senator from Oregon if it is not true that—

Mr. BYRD of West Virginia. Mr. President, will the Senator yield for the purposes of my making a unanimous-consent request, with the understanding that he will be recognized immediately thereafter?

Mr. SPONG. I yield.

INTERFERENCE WITH CIVIL RIGHTS

The Senate resumed the consideration of the bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that I be permitted to modify my amendment No. 579 in the following manner:

MODIFICATION OF AMENDMENT NO. 579 (BY SENATOR BYRD OF WEST VIRGINIA)

On page 9, lines 11, 12, and 13, strike out "residing in such house at the time of such sale or rental, or who was the most recent resident of such house prior to such sale or rental: *Provided*," and insert in lieu thereof the following: "*Provided*, That such owner does not own more than three such single-family houses at any one time: *Provided further*, That in the case of the sale of any such single-family house by an owner not residing in such house at the time of such sale or who was not the most recent resident of such house prior to such sale, the exemption granted by this subsection shall apply only with respect to one such sale within any twenty-four month period: *Provided further*, That such bona fide owner does not own any interest in, nor is there owned or reserved on his behalf, under any express or voluntary agreement, title to or any right to all or a portion of the proceeds from the sale or rental of, more than three such single-family houses at any one time: *Provided further*,".

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia? The Chair hears none, and it is so ordered. The amendment will be modified accordingly.

Mr. MILLER. Mr. President, will the Senator from Virginia yield to me briefly for a unanimous-consent request?

Mr. SPONG. I yield.

The PRESIDING OFFICER. Is the Senator talking on his own time?

Mr. MILLER. On my own time.

Mr. President, I ask unanimous consent that my amendment No. 599 be amended to incorporate the language of the Byrd amendment, in the event it is agreed to.

The reason for the request is that, if it is agreed to, it will be impossible to reconcile the two, and if it is not, there will be no problem.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered. The amendment will be modified accordingly.

SALARIES FOR DISTRICT OF COLUMBIA TEACHERS

Mr. SPONG. Mr. President, in view of the statement just made by the Senator from Oregon, I wish to ask him, as a member of the Fiscal Affairs Subcom-

mittee, if it has not been the intention of that subcommittee to deal with the teachers' pay bill and the fire and police bill at the same time?

Mr. MORSE. That is my understanding.

Mr. SPONG. And the subcommittee is prepared to consider all of these matters at the same time?

Mr. MORSE. That is my understanding.

I add, since I do not think the Senator from Virginia was here when I made my remarks yesterday, or my earlier remarks at the beginning of my speech today, that the Senator from Virginia, who is chairman of the subcommittee, has stood ready, willing, and waiting to take up this teachers' pay bill as soon as we could get the report necessary for committee consideration from Mayor Washington. We got the report yesterday.

The Senator from Virginia has already set March 14 for our executive markup session on the pay bills. When I was speaking about the problem in regard to seeing to it that the police, firemen, and the teachers are considered together, I was referring to the problem we usually have over on the House side. There has been a tendency in the House to separate it, and that is what creates a legislative problem for us in the Senate. It also creates misunderstanding, I think, between the teachers on the one side and the policemen and firemen on the other.

Mr. SPONG. I thank the Senator from Oregon for clarifying the matter.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

CALL OF THE ROLL

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum; and this will be a live quorum call.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll, and the following Senators answered to their names:

[No. 37 Leg.]

Aiken	Gore	Moss
Anderson	Harris	Murphy
Bartlett	Inouye	Muskie
Boggs	Javits	Pearson
Brooke	Jordan, Idaho	Prouty
Byrd, Va.	Lausche	Russell
Byrd, W. Va.	Magnuson	Spong
Case	Mansfield	Symington
Cotton	Miller	Talmadge
Curtis	Morse	

The PRESIDING OFFICER. A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to request the presence of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Allott	Hansen	Mondale
Baker	Hart	Monroney
Bayh	Hartke	Montoya
Bennett	Hatfield	Mundt
Bible	Hayden	Nelson
Brewster	Hickenlooper	Pell
Burdick	Hill	Percy
Cannon	Holland	Proxmire
Carlson	Hollings	Randolph
Church	Hruska	Ribicoff
Clark	Jackson	Scott
Cooper	Jordan, N.C.	Smathers
Dodd	Kennedy, Mass.	Smith
Dominick	Kennedy, N.Y.	Sparkman
Eastland	Kuchel	Stennis
Ellender	Long, Mo.	Thurmond
Ervin	Long, La.	Tower
Fannin	McClellan	Tydings
Fong	McGee	Williams, N.J.
Fulbright	McGovern	Williams, Del.
Griffin	McIntyre	Young, N. Dak.
Gruening	Metcalf	Young, Ohio

The PRESIDING OFFICER. A quorum is present.

Mr. BYRD of West Virginia. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

INTERFERENCE WITH CIVIL RIGHTS

The Senate resumed the consideration of the bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation and for other purposes.

Mr. BYRD of West Virginia. Mr. President, my amendment No. 579 is pending before the Senate. I have already asked unanimous consent, and that consent has been granted, to modify my amendment; and Senators will find on their desks the modification in part, which reads as follows:

On page 9, lines 11, 12 and 13, strike out "residing in such house at the time of such sale or rental, or who was the most recent resident of such house prior to such sale or rental: *Provided*," and insert in lieu thereof the following: "*Provided*, that such owner does not own more than three such single-family houses at any one time; *Provided further*, that in the case of the sale of any such single-family house by an owner not residing in such house at the time of such sale or who was not the most recent resident of such house prior to such sale, the exemption granted by this subsection shall apply only with respect to one such sale within any 24 month period; *Provided further*, That such bona fide owner does not own any interest in, nor is there owned or reserved on his behalf, under any express or voluntary agreement, title to or any right to all or a portion of the proceeds from the sale or rental of, more than three such single-family houses at any one time; *Provided further*,".

Mr. President, under the language in the substitute by Mr. DIRKSEN, single-family housing is exempted from the "fair housing" provisions only if it is "sold or rented by an owner residing in such house at the time of such sale or rental, or who was the most recent resident of such house prior to such sale or rental."

It will be noted that the language in the Dirksen substitute which I have just read would not exempt the owner of a single-family dwelling in the following situations, among others:

First. An owner, because of health reasons, must go to Arizona for a period of 2 years and wishes to rent his single-family house located in an Eastern State. He rents his dwelling, but 3 months later the tenant moves out. The owner

of the single-family dwelling no longer is the "most recent resident" of his own property and, therefore, is no longer exempted.

Second. A serviceman or a foreign service officer departs overseas on an assignment of considerable duration. He rents his single-family house. Six weeks later the renter moves out. The serviceman—or foreign service officer—is no longer exempted from the coverage of the fair-housing title, inasmuch as he is no longer the "most recent resident."

Third. A widow owns and lives in a single-family dwelling. She also owns a single-family dwelling across the street, the tenant therein being her daughter. The daughter moves to another State. The widow cannot qualify for exemption under the Dirksen substitute because she neither resides in the house across the street—of which she is the owner—nor is the "most recent resident" of such dwelling prior to a subsequent sale or rental.

Fourth. An individual lives in his own single-family dwelling located on a three-quarter-acre lot. He decides to build a second house on the lot. Ten years later misfortune forces him to parcel the lot and sell the house thereon. He does not qualify under the Dirksen substitute exemption because he is neither "residing in" the adjacent dwelling nor was he the "most recent resident" thereof.

I believe, Mr. President, that Senators will want to provide a clear-cut exemption in the case of single-family dwellings, especially when the owner rents or sells the dwelling without the assistance of a real estate salesman or agency; so I have drawn the language in my modified amendment to reach such situations as those I have cited today.

My language would permit the bona fide owner of as many as three single-family dwellings, whether or not he is the resident therein or the most recent resident therein, to sell or to rent, exercising his own preferences in so doing, as long as he did not use a real estate agency or salesman as set forth in the Dirksen substitute.

I have also sought, by the last proviso, to prevent a situation in which an individual could possess three houses, could sell one, could replace that house by purchasing another house, could again sell one, could purchase another house, and never own more than three houses at any one time. For this reason, I have put in the stipulation that there can be no more than one sale, carrying the exemption, in any 24-month period. I have also provided against a sham transaction in which the owner of the house might have his wife as the owner of three houses, his daughter as the owner of three houses, and his son as the owner of three houses, and thus be able, by participating in these sham transactions, to really exercise dominion over a great number of houses—10, 12, 15, 18, and so forth.

I have talked with the floor manager of the bill, Senator HART, and with Senator MONDALE, Senator JAVITS, and Senator BROOKE at length on yesterday about this amendment. I worked with legislative counsel until midnight last night, and

again this morning. I have worked with the Senators named in an effort to reach an understanding and possibly have this amendment adopted by mutual consent, and I wish, at this point, to express my appreciation to them for their sincere and patient efforts to work out a mutually agreeable compromise amendment.

All of us have worked in good faith, but we have reached the point where we feel there will have to be a vote on this proposal because we have been unable to finally work out an amendment to which all parties could agree.

The Senator from Minnesota [Mr. MONDALE], the Senator from Michigan [Mr. HART], the Senator from Massachusetts [Mr. BROOKE], the Senator from New York [Mr. JAVITS], all agree that these examples I have presented here today are pertinent and valid, and that such situations could very well occur, and I believe I am correct in saying that they, too, feel something should be done to deal with such situations. At the same time, they have reservations about the amendment and, of course, they can express those reservations.

I do hope that after they have done so, we can have a vote, that we will have to wait too long to reach a vote, and that Senators will support my amendment.

Mr. AIKEN. Mr. President, will the Senator yield for a question?

Mr. BYRD of West Virginia. Will the Senator permit me to yield on his time?

Mr. AIKEN. On my time. I have 59 minutes and 50 seconds remaining.

Mr. BYRD of West Virginia. My time is running short.

Mr. AIKEN. I can spare a little time. I am interested in the Senator's amendment. I am wondering why it was necessary to raise the number of houses owned by one party to three. What is the logic in that? The bill itself, I believe, referred to one house, or four rooms.

Mr. BYRD of West Virginia. I have already discussed situations in which which there would be at least two houses involved.

Mr. AIKEN. Yes.

Mr. BYRD of West Virginia. The Senator asked why I used the word "three."

Mr. AIKEN. Yes.

Mr. BYRD of West Virginia. We have the so-called "Mrs. Murphy" amendment or the "Mrs. Murphy" language in the bill.

Mr. AIKEN. She is a good woman.

Mr. BYRD of West Virginia. Indeed, yes. The Mrs. Murphy language in the bill provides for four units, if the families live independently therein.

Mr. AIKEN. The Senator is correct.

Mr. BYRD of West Virginia. But Mrs. Murphy also has to live in one of those four units.

Mr. AIKEN. Yes.

Mr. BYRD of West Virginia. That confines its protective reach to three units other than the one in which she lives. In my amendment, therefore, I use "three" as the number, in order to have parallel construction.

Mr. AIKEN. The amendment offered by the distinguished Senator from West Virginia would not permit ownership of three four-unit apartments.

Mr. BYRD of West Virginia. Will the Senator repeat his inquiry?

Mr. AIKEN. Would the amendment of the Senator from West Virginia permit three four-family apartment houses?

Mr. BYRD of West Virginia. No. These are single-family dwellings only.

Mr. AIKEN. Three single-family dwellings.

Mr. BYRD of West Virginia. Yes.

Mr. AIKEN. I think that explains it.

Mr. MONDALE. Mr. President, the Senator from West Virginia is correct.

Mr. BYRD of West Virginia. Mr. President, may we have order?

The PRESIDING OFFICER (Mr. GORE in the chair). The Senate will be in order.

Mr. HOLLAND. Mr. President, before the Senator starts, I wonder if he would permit me, on my time, to ask a question of the Senator from West Virginia.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. HOLLAND. Mr. President, I yield myself 2 minutes.

I wonder if the Senator can tell us what would happen in the many cases in which Members of the Senate, Members of the House of Representatives, and people serving in the executive branch of the National Government—and the same thing can be multiplied many times on the State level—and in State governments, where those people have a home back where they came from, they acquire a home in the Capital where they are serving, and where, for one reason or another, they may rent for a period of time the dwelling back in their original home State.

A situation similar to that happened in the case of the Senator from Florida in one instance and I am certain that many persons now serving in Washington are in a somewhat comparable situation.

Would the amendment of the Senator from West Virginia take care of that situation?

Mr. BYRD of West Virginia. The answer is yes.

May I say, as the author of this amendment, that I have no single-family dwelling or any other type of dwelling back in my State. The only property I own is a house in Arlington in which I presently live. So this amendment was not devised to take care of any situation of mine or of any specific individual.

However, in answer to the Senator's question regarding Members of Congress and persons serving in the executive branch who may have a dwelling back in their home States, as well as a dwelling here in the Nation's Capital, in such a case this amendment would adequately treat the situation. But without this amendment, if Senator X should rent his home, back in the State from which he came, while he is serving in the Senate, and 3 months after having rented the dwelling, the Senator loses his renter, the Senator no longer being a resident in that dwelling, and he no longer being the most recent resident therein, he then, of course, is boxed in by the language in the Dirksen substitute.

Mr. HOLLAND. I thank the Senator.

Mr. JORDAN of North Carolina. Mr. President, will the Senator yield to me?

Mr. BYRD of West Virginia. I am glad

to yield to the Senator from North Carolina on his time.

Mr. JORDAN of North Carolina. I have an entire hour and I do not mind squandering it a little.

When the Senator from Florida brought up his question, it brought to my mind a case that could easily happen where a person would own three dwellings. I know we have people who have a summer home or a winter home. There are some people with a home in Florida and a home in the mountains of western North Carolina, in addition to a home here, and a home in their home State. One could easily have three homes.

I know one Member of Congress who has a home which he rents all of the time because he is only there a part of the year. He has another situation where he rents a home in the mountains of western North Carolina. He rents that home some time in the summertime because he is not there. He would be trapped unless this amendment were adopted, in the three room situation.

Mr. BYRD of West Virginia. The Senator is correct.

I am not concerned about the Senator who is trapped or the House Member who is trapped by the Dirksen substitute. Senators and Members of the House of Representatives have the option of voting for or against the Dirksen substitute. If they want to vote for or against the Dirksen substitute on the basis of how it affects their personal situation that would be up to them, although I am confident that they would not cast their vote on a personal basis.

I would like to make clear that this amendment was not prepared nor is it being offered with regard to Senators or Members of the House of Representatives. They can vote against the entire bill if they wish to do so. But I do feel there are bona fide property owners throughout our country who are not Senators or Members of the House of Representatives, and who have no opportunity to vote for or against the bill, or to express in debate their sentiments thereon, who will be affected by this bill, and who will be affected by our own votes in connection with this bill. We should try to find some reasonable way in which to deal with their situations, examples of which I have cited here today.

Mr. JORDAN of North Carolina. Mr. President, will the Senator yield further?

Mr. BYRD of West Virginia. I yield to the Senator from North Carolina on his time.

Mr. President, may we have order?

Mr. JORDAN of North Carolina. On my time.

Mr. BYRD of West Virginia. Mr. President, would the Senator suspend while we get order.

The PRESIDING OFFICER. The Senator will be in order.

Mr. JORDAN of North Carolina. Mr. President—

Mr. BYRD of West Virginia. Mr. President, would the Senator suspend while we get order.

The PRESIDING OFFICER. The Senator will not resume until we get order. The Chair reminds the visitors in the galleries to please maintain quietude.

Discussion and debate is underway in the Senate of the United States and it deserves respectful attention.

The Senator may proceed.

Mr. JORDAN of North Carolina. Mr. President, I use those examples because I am aware of that situation in the Nation's Capital. But I know of a number of people in the same situation in which the same thing would apply to them. It is not a matter for us one way or another but it will affect a great many more people than one would think.

Mr. BYRD of West Virginia. I thank the Senator and agree with him.

Mr. MONDALE. Mr. President, the Senator from West Virginia properly observed that Senators HART, JAVITS, BROOKE, and myself attempted over the past day and a half to deal with this problem. I would want to clarify one thing. I think I speak for them when I say that none of us felt this exemption was necessary and, indeed, all of us believe that there should be no exemption for the sale of any home or the rental of any premises offered to the public whether through a broker or not. In order to arrive at what is now known as the Dirksen substitute, we agreed to exempt the sale or rental of owner-occupied single-family dwellings when not sold through a broker after January 1, 1970. We did so reluctantly. We regret that it was necessary to do so. I still believe that one of the basic and fundamental objections to discrimination in the sale or rental of housing is the fact that through public solicitation the Negro father, his wife and children are invited to go up to a home and thereafter to be insulted solely on the basis of race.

So that what we are trying to do is to make an accommodation in light of the realities of the current legislative situation. But we were unable to do so. The amendment of the Senator from West Virginia, as modified, is, in my opinion, much reduced in scope from that originally proposed. It would, however, for the first time, introduce into the Dirksen substitute an additional category of possible exemption; namely, the nonowner-occupied single-family dwelling when not sold through a broker. The Senator from West Virginia, I, and others, have tried to develop ways strictly to limit that extension. Although various steps have been taken, I personally am not satisfied that we have been able to cut off all the possibilities for circumvention.

The Senator from West Virginia seeks to do so by limiting the scope of his exception to single-family dwellings, by limiting it to an owner who owns no more than three homes, by limiting it to sales not in excess of one for every 2 years, by counting within the limit of the three units of such sale not only property that in fact rests in the name of that owner, but also the property in which he has equitable ownership.

In my opinion, all of these efforts substantially restrict the impact of the proposal offered by the Senator from West Virginia. But, and I must be frank, I see no reason to do it. One of my colleagues said, "We have to get people out of this fix." I do not see it that way. I do not

see that we are granting anything or giving anything. We are merely removing from that transaction—and hopefully from the transactions covered within the scope of the Dirksen substitute—the right to deny someone the opportunity, along with all other Americans, to bid and be considered on the purchase of a home or on the rental of premises without regard to color.

So far as I am concerned, it makes utterly no difference that a broker is not used. It is still a public sale. It is still an insult. It is still discrimination. In my opinion, it is still a moral outrage. But, that decision has been made, and I fear that the additional step, although much reduced in scope, might contain—not through design of the author, but because we have not had time thoroughly to explore the matter—other possibilities for circumvention which we are unable to uncover on the basis of exploring it fully in the limited time we have now.

I express my great appreciation to the Senator from West Virginia for his almost unimaginable patience with me during this past day and a half. I know that I speak also for the other sponsors of the measure. But we must, reluctantly, oppose the amendment.

There is one other curbing feature, too, that I think we should explain; namely, that under the Dirksen substitute there is a definition of a person who is in the business of selling or renting dwellings. It appears on page 10 of the star print, and provides in subsection (c) that—

... a person shall be deemed to be in the business of selling or renting dwellings if—
(1) he has, within the preceding 12 months, participated as principal in three or more transactions ...

Mr. President, it is quite clear that this means where a person sells an owner-occupied home, not through a broker, three or more times in a single year—that is, keeps moving—so that he becomes, under the definition of this statute, a person in the business of the sale or rental of dwellings.

The subpart (2) puts a person in that category if he has, within the preceding 12 months, participated as an agent to sell someone else's home or to rent someone else's premises in two or more transactions.

The amendment of the Senator from West Virginia would, as it is presented, incorporate and be related to those two provisions. If someone were trying to conform to the terms of the amendment as modified by the Senator from West Virginia—to participate in the real estate business of selling or renting—I think the law is quite clear that he would, if he sold his own home three times or more in a single year, or rented someone else's premises, or sold someone else's premises more than twice a year, become a person in the business of selling or renting property.

This would prohibit sham or fraudulent transactions in order to evade the limits of the proposed amendment. But it is difficult to make certain that we have anticipated every possible way to avoid it.

Finally, we do not see any good reason

or justification, in the first place, for permitting discrimination in the sale or rental of housing. What we are saying is that the concept that the owner—on making a public sale, or the owner on renting a house—should enjoy the opportunity to discriminate against a fellow American solely on the basis of race, is something we find fundamentally objectionable. We cannot accept it. We oppose it. We admit that we have made some compromises. We do not want to make any more.

Mr. BYRD of West Virginia. Mr. President, I have attempted by my language to obviate the situation to which the Senator has referred, in which a real estate operator would attempt to utilize this language as a gimmick and sell house after house, or transact rental after rental, and thus circumvent the purpose and intent of the legislation.

May I say that my original amendment provided for one sale within a 12-month period; and after lengthy discussion with Senator MONDALE, Senator HART, and the other Senators named, I yielded to the extent that I doubled that time period, so it is now a 24-month period as set forth in my amendment.

Mr. MONDALE. Mr. President, will the Senator yield—because what we are trying to get at, and I concede that it was at our request that it was changed, where he continues to be the owner of the property—

Mr. BYRD of West Virginia. Yes.

Mr. MONDALE. The Senator's idea was to make it financially impossible for a person to be in the business and do that. I admit the Senator did it at our suggestion.

Mr. BYRD of West Virginia. Yes. Also, at the suggestion of the Senator, I added this language, and I want to read it again, because, in my judgment, we are really splitting hairs if we think that, in view of this language, sham transactions could occur:

Provided further, That such bona fide owner does not own any interest in, nor is there owned or reserved on his behalf, under any express or voluntary agreement, title to or any rights to all or a portion of the proceeds from the sale or rental of, more than three such single-family houses at any one time.

Mr. BROOKE. Mr. President, will the Senator yield for a question?

Mr. BYRD of West Virginia. May I yield on the Senator's time?

Mr. BROOKE. Yes. Is it the Senator's contention that the words "bona fide" will eliminate the small builder or developer of housing who, under the Senator's amendment, would be able to, say, occupy one of the houses with his wife and son and daughter, both of whom were 21 years of age or over, and then to give a house to his wife and one to his son and one to his daughter, and then have them exempted so they could sell additional houses, and thereby still be in the business of selling and developing houses and be exempted from the discriminatory provision?

Mr. BYRD of West Virginia. That is precisely the kind of situation which I think would be prevented especially by the final proviso of this amendment. As

to the house in which he lives with his wife, he is the bona fide owner thereof; but this language would prevent him from having three houses in his name, three in his daughter's name, three in his son's name, and three in his wife's name and thus making an end run around the intent of the language.

Mr. BROOKE. I certainly applaud the distinguished Senator's intent to not include the end run, but what is the language upon which the Senator bases his conclusion?

Mr. BYRD of West Virginia. Again yielding on the Senator's time, if I may—

Mr. BROOKE. On my time.

Mr. BYRD of West Virginia. The language is as follows:

That such bona fide owner—

That is part of the language that I think would be preventive in nature—

does not own any interest in, nor is there owned or reserved on his behalf, under any express or voluntary agreement—

Any express or voluntary agreement, I repeat, between him and his wife, him and his daughter, him and his son—

title to or any rights to all or a portion of the proceeds from the sale or rental of, more than three such single-family houses at any one time.

I cannot see how, with this language in the bill, and the delimiting language which is already in the Dirksen substitute concerning persons who are in the business of selling real estate, et cetera, that this language could possibly leave a loophole.

Mr. BROOKE. The donee of property can still be a bona fide owner; is that not true? If the property is given by the head of the family to his wife, his wife is still the bona fide owner of that property, even though she received that property by virtue of a gift rather than a purchase.

Mr. BYRD of West Virginia. But there would be reserved on his behalf by his wife the right to the proceeds, and this language obviates that.

Mr. BROOKE. The Senator means thereby that if the wife gets the proceeds, the proceeds are not really the wife's proceeds, but the proceeds belong to the husband?

Mr. BYRD of West Virginia. Mr. President, it seems to me that in such a situation his wife would be making a voluntary agreement with the husband to let him use these proceeds.

Mr. BROOKE. The Senator says the language prevents that situation?

Mr. BYRD of West Virginia. In my judgment, it does. I think this language is so tightly drawn that the Secretary of Housing and Urban Development, or eventually a court, if such a case reaches a court, would see through this kind of subterfuge and could get behind it. It is my desire and my intent, and as the author of the amendment I make this statement as a part of the legislative history, that the language be so interpreted that such a sham transaction could not be exempted. It is not the purpose of this language to permit one to do indirectly that which one cannot do directly.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. MONDALE. Would the Senator include in his interpretation of the meaning of his amendment, interest held by an individual through a corporate structure or corporate structures, or could a person circumvent the meaning of the Senator's proposal by the creation of multiple corporate ownership?

Mr. BYRD of West Virginia. We are talking about private individuals, which, it seems to me, eliminates companies, partnerships, corporations, et cetera.

Mr. MONDALE. In other words, it is the Senator's interpretation of his amendment that a corporation—corporate ownership—cannot come within the meaning of his exemption?

Mr. BYRD of West Virginia. Absolutely, and in my original language I used the language "private individual." I do not know how that ever fell out of it.

Mr. MONDALE. May I suggest that it be put back in?

The ACTING PRESIDENT pro tempore. May the Chair inquire out of whose time the time for this debate is coming? The time of the Senator from Minnesota?

Mr. MONDALE. Yes.

Mr. BYRD of West Virginia. The Senator has used a lot more time. Let it be taken out of mine.

Mr. MONDALE. Yes.

Mr. BYRD of West Virginia. Mr. President, I would be willing, if I am granted unanimous consent to do so, to insert the words "private individual" preceding the word "owner". I ask unanimous consent to so modify my amendment.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, the amendment is so modified.

Mr. JAVITS. Mr. President, I yield myself 1 minute.

It is very important, first, that we understand the limitations of this amendment. I am not for it, and I am going to vote "nay," but I think it is critically important, whatever the Senate does, that we know what we are doing.

As I understand it, this language would now apply to a private individual owner. It would not apply if that owner sought to sell property covered by the proviso to a broker or agent after December 31, 1969. It would also not apply if that particular owner was in the real estate business, as defined in subsection (c) of this very same section, on page 10, from line 10 to page 11, line 2. Finally, it would not apply unless it were a bona fide owner, a normal convenience proposition. This is what the Senator is trying to confine it to.

So there are three distinct exceptions: Selling through a broker or dealer; a person being in the real estate business himself, which disqualifies him as a person; and the other exception to which I have referred.

We worked with the Senator from West Virginia [Mr. BYRD], trying very hard to work out something.

It is my definite view that we have so eroded this section and so reduced its coverage that to have an open-ended proposition, the end of which nobody can anticipate, what we are really doing is opening another door, a way out of the

bill other than the terms of it already agreed on with Senator DIRKSEN, in my judgment, this is an open-ended thing, the end of which I cannot see nor can any of us. The Senator from West Virginia can argue that it is going to have a very narrow reach and that only a few people might be inconvenienced, but we just do not know. Under the circumstances of having the bill materially cut down anyhow, I deeply feel that if we want some kind of representative open-housing statute, we have to vote "No."

Mr. BYRD of West Virginia. Mr. President, in order to be absolutely sure that the owner is a private individual owner, I also ask unanimous consent to modify my amendment to delete the word "an" appearing on line 10 of page 9 of the Dirksen substitute and to insert in lieu thereof the words "a private individual."

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and the amendment is so modified.

The question is on agreeing to the amendment, as modified, of the Senator from West Virginia.

Mr. MONDALE. Mr. President, we have now spent some time on the discussion of the technical details of this amendment. I think the discussion reflects the fact that it is difficult to know precisely what we are dealing with. The negotiations of the past day and a half were all directed at trying to understand the purposes and trying to limit the application in such a way that it could not be circumvented. What the amendment represents is the product of those efforts.

But the one thing that I want to make absolutely clear is that we do not believe that anyone selling or renting property to the public should be permitted to discriminate. We are opposed to all of that. We made certain compromises which are embodied in the Dirksen substitute. When fully effective, the Dirksen substitute will cover approximately 80 percent of the housing in this country. Our original proposal covered approximately 96 or 97 percent, excluding the famous "Mrs. Murphy." This would shave the exemptions further. We do not know by how much; it could be exceedingly modest. But we have no way of really evaluating that.

The fundamental point that we must make, the fundamental point that we want totally understood, is that we see no reason whatsoever for permitting an individual, directly or indirectly, to discriminate in the sale or rental of housing, or expanding these exemptions in any way.

There is another amendment that may be brought up. It would prohibit a broker from discriminating but would let the owner continue to discriminate. That still maintains the assertion of a principle that we find unacceptable. The idea that somehow from inclusion within the bill all kinds of dire consequences will follow does not stand examination.

The bill permits an owner to do everything that he could do anyhow with his property—insist upon the highest price, give it to his brother or to his wife, sell it to his best friend, do everything he could ever do with property, except re-

fuse to sell it to a person solely on the basis of his color or his religion. That is all it does. It does not confer any right. It simply removes the opportunity to insult and discriminate against a fellow American because of his color, and that is all. What we are determined to do is to remove this blight from American society.

Mr. ERVIN. Mr. President, the truth about the bill is that it gives to men of one race the freedom to deny to men of other races their freedom.

Mr. MONDALE. Mr. President, what the bill does is to make race irrelevant, which is the foundation of this country.

Mr. ERVIN. Mr. President, it does nothing of the kind. The whole bill is based on race. What is being done is to make race the central feature of the bill, instead of making race irrelevant.

Mr. HOLLAND. Mr. President, I yield myself 5 minutes, or so much thereof as I may need.

I think there is entirely too much talk about race and color and too little talk about individual rights. I myself have lived through two periods when my home was occupied by others. One was when I was serving 4 years as the Governor of my State, at its capital, when I was glad to lease my little home to one who was serving in the Air Force at a little airfield just outside my hometown.

Since that time, and since I came to the Senate, we have had one of our children there for 3 years, because of a critical situation in that family, and we have had another child there for 1 year.

Our house is not for sale, and never will be, Mr. President, as long as I live, because we have lived there for nearly 50 years. It is our home. Our children have been born there. We have added to it room by room as the children came along. We accumulated neighbors, some of whom came there because of us, we think. We live there in peace and harmony.

This is not solely a question of race. We would not sell to a convicted felon. We would not sell to a notorious gambler. We would not sell to anybody who did not conform to the high standard of morals and the high tone of the neighborhood where we live in our little home.

I see nothing wrong, either, about our remembering that right here in the Capital, in the legislative department, more than 500 Members of Congress are in somewhat the same situation, because most of us retain our homes back where we came from. How many thousands there are in other departments, I do not know, because I have no means of knowing. How many thousands there are in State capitals, serving in the same way, I do not know. How many hundreds of thousands there are in the Armed Forces and in the Foreign Service, the AID program, and other programs, who are away from home right now, I do not know. This is a confused and widely scattered Nation, and those persons have the right to rent their homes or to lease them.

We may not want to rent or lease our homes. Most of us do not want to do so. But hundreds of thousands of Americans, right now, who are away from home, do want to lease their homes and not lose

any rights in them, including the right to sell them to persons of their own choosing.

This is not a question of color. This is not a question of race. The fact is that there are such things as property rights and individual preferences of many kinds, but they seem to be forgotten because we have, just now, the fetish of trying to be a little fairer—and I hope we can lawfully be fairer—to a minority race.

We have overstated the question of color and race in the debate, and we have understated, in my humble judgment, the fact that there are such things as property rights, individual rights, and individual preferences when it comes to selling or leasing one's property, especially our homes.

An individual who owns a home owes a strong moral obligation to his neighbors and friends among whom he has lived for a period or for decades. I do not think we can ignore this fact.

I hope that the amendment of the Senator from West Virginia will be adopted, because I think it will take care of one difficult problem in connection with the general objectives of the bill.

Mr. BYRD of West Virginia. Mr. President, I want to be absolutely fair to the opponents of my amendment. I want to be certain in my own mind that the language will do what I think it will do and have said it will do or not do.

RESCISSION OF PREVIOUS MODIFICATION OF AMENDMENT NO. 579

Mr. President, I ask unanimous consent that my previous unanimous-consent request, which eliminated on line 10 of page 9 the word "an" and substituted in lieu thereof the words "a private individual," be vacated.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from West Virginia. The Chair hears none, and it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent with respect to the word "owner," which appears three times in my modified amendment, that I be allowed to insert the words "private individual" preceding the word "owner" in the first instance in which it appears; that the word "an" be deleted just preceding the second time the word "owner" appears, and that in lieu thereof the words "a private individual" be inserted; and that the words "private individual" be inserted just preceding the word "owner" the third time that word appears.

Mr. MONDALE. Mr. President, will the Senator withhold his request?

Mr. LAUSCHE. Mr. President, in the meantime, I ask for the yeas and nays.

Mr. BYRD of West Virginia. Mr. President, let me get my unanimous-consent agreement first.

Mr. LAUSCHE. Mr. President, I withdraw my request for the yeas and nays.

Mr. BYRD of West Virginia. Mr. President, this modification is to make it absolutely clear and to nail it down that the owner of the single-family dwellings must be a private individual owner, and not a person created by law.

The ACTING PRESIDENT pro tem-

pore. Is there objection to the request of the Senator from West Virginia?

Mr. MONDALE. Mr. President, reserving the right to object, is it the clear intention of the Senator from West Virginia to exclude clearly from the scope of this exemption in every respect corporate ownership?

Mr. BYRD of West Virginia. Yes, indeed it is.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from West Virginia? The Chair hears none, and it is so ordered. The amendment is accordingly modified.

Mr. DOMINICK. Mr. President, I regret deeply being in opposition to my good friend, the Senator from West Virginia [Mr. BYRD], who I think has done a very fine job in the U.S. Senate. However, I must say that I can see no reason why we should say that the privilege of selling or renting property is any more important than the privilege to acquire property. It is the same privilege on the opposite side for any individual in this country. Whenever we say that for a certain reason a person can determine to whom he can sell, but in no case can he determine from whom he will acquire property, we have then created an inequity between two groups that I think is wrong. It is for that reason that I ask for the yeas and nays on the pending amendment.

The yeas and nays were ordered.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment, as modified, of the Senator from West Virginia.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Oklahoma [Mr. MONRONEY] is absent on official business.

I also announce that the Senator from Minnesota [Mr. MCCARTHY], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Texas [Mr. YARBOROUGH] are necessarily absent.

I further announce that, if present and voting, the Senator from Minnesota [Mr. MCCARTHY] would vote "nay."

On this vote, the Senator from Rhode Island [Mr. PASTORE] is paired with the Senator from Nebraska [Mr. CURTIS]. If present and voting, the Senator from Rhode Island would vote "nay" and the Senator from Nebraska would vote "yea."

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. MORTON] is necessarily absent.

The Senator from Illinois [Mr. DIRKSEN] is absent by leave of the Senate because of death in his family.

The Senator from Nebraska [Mr. CURTIS] is detained on official business.

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the Senator from Rhode Island [Mr. PASTORE]. If present and voting, the Senator from Nebraska would vote "yea" and the Senator from Rhode Island would vote "nay."

The result was announced—yeas 48, nays 45, as follows:

[No. 38 Leg.]

YEAS—48

Aiken	Gruening	Miller
Anderson	Hansen	Mundt
Baker	Hayden	Murphy
Bartlett	Hickenlooper	Pearson
Bennett	Hill	Prouty
Bible	Holland	Randolph
Byrd, Va.	Hollings	Russell
Byrd, W. Va.	Hruska	Smathers
Cannon	Jordan, N.C.	Sparkman
Carlson	Jordan, Idaho	Spong
Church	Lausche	Stennis
Eastland	Long, La.	Talmadge
Ellender	Magnuson	Thurmond
Ervin	Mansfield	Tower
Fannin	McClellan	Williams, Del.
Fulbright	McIntyre	Young, N. Dak.

NAYS—45

Allott	Harris	Montoya
Bayh	Hart	Morse
Boggs	Hartke	Moss
Brewster	Hatfield	Muskie
Brooke	Inouye	Nelson
Burdick	Jackson	Pell
Case	Javits	Percy
Clark	Kennedy, Mass.	Proxmire
Cooper	Kennedy, N.Y.	Ribicoff
Cotton	Kuchel	Scott
Dodd	Long, Mo.	Smith
Dominick	McGee	Symington
Fong	McGovern	Tydings
Gore	Metcalf	Williams, N.J.
Griffin	Mondale	Young, Ohio

NOT VOTING—7

Curtis	Monroney	Pastore
Dirksen	Morton	Yarborough
McCarthy		

So the amendment (No. 579), as modified, of Mr. BYRD of West Virginia was agreed to.

Mr. BYRD of West Virginia. Mr. President, I move to reconsider the vote by which the amendment was adopted.

Mr. HOLLAND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

BUILDUP OF AMERICAN FORCES IN VIETNAM

Mr. FULBRIGHT. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. FULBRIGHT. Mr. President, I hope I may have the attention of my colleagues.

The PRESIDING OFFICER. The Senate will please be in order.

Mr. FULBRIGHT. Mr. President, I do not wish to detain the Senate too long, but I wish to raise an issue. While it is not directly related to the business now before the Senate, I believe it is indirectly related to it. I had intended to wait until we had completed action on the pending bill, but it is taking much longer than the leadership or I had expected.

There are rumors—or more than rumors—I am quite certain from the news that has come to us through the press and elsewhere, that very significant decisions are being considered by the executive branch of our Government, decisions involving a major new buildup of American forces in Vietnam in the wake of our recent defeats and difficulties in Vietnam—not only a buildup of troops, but also there is the possibility of the extension of the war beyond the geographical limits of Vietnam.

I believe these pending decisions raise a basic and most important constitutional issue which must concern every Mem-

ber of this body, regardless of whether he supports or disagrees with the administration's war policy. This issue is the authority of the administration to expand the war without the consent of Congress and without any debate or consideration by Congress.

The Committee on Foreign Relations has recently considered and reported unanimously a sense of the Senate resolution dealing with this matter, Senate Resolution 187. I would have waited until the resolution was considered later on, except that press reports indicate that decisions are very likely to be made before we get to the consideration of the resolution.

Insofar as the consent of this body is said to derive from the Gulf of Tonkin resolution, it can only be said that that resolution, like any contract based on misrepresentation, in my opinion, is null and void. That resolution was adopted in 1964 on the basis of assurances by the administration that North Vietnamese naval units had deliberately and repeatedly attacked U.S. vessels in international waters, without provocation on our part. Since then, it has become known—and the administration now admits—that the *Maddox* and the *Turner Joy*, the two destroyers involved in that engagement, were engaged in intelligence activities in the Gulf of Tonkin.

In addition, evidence recently uncovered by the committee raises serious doubts as to whether the administration had adequate proof that the alleged attack of August 4 had, in fact, taken place at the time when retaliatory strikes were directed against North Vietnam—the first strikes against that country.

If the administration contemplates an expansion now, a major expansion, or a stepup of the war, it has the obligation, in my opinion, to consult with Congress, especially with the Senate, and to obtain its advance approval.

Mr. President, there have been in the press recently a number of most significant editorials and comments, some of them coming from journals which have consistently gone all out in support of the war policy of the administration. For example, the Washington Post, which I suppose is the most widely read newspaper in this body—except for local papers—for the first time to my knowledge on March 6 in a lead editorial questioned our policies in Vietnam. The editorial was entitled "Vietnam Mission: A Return to First Principles."

Mr. President, I shall not read the entire editorial but I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

VIETNAM MISSION: A RETURN TO FIRST PRINCIPLES

It is hard to argue against the need for additional American troops in Vietnam to regain the initiative lost in recent weeks. If our forces already on hand are endangered by being spread too thin, they must be reinforced. But the dispatch of more troops by itself will not answer the critical questions:

What will we do with the initiative when we regain it, and what is to stop the enemy from trying to gain it back?

Is there not some upper limit to the effec-

tiveness of these reflexive responses, beyond which the risk of wider war outweighs any conceivable gain in the security and stability of South Vietnam?

Which is more likely to persuade Hanoi to negotiate or simply back away—ever-increasing applications of American firepower and manpower, or a sustained and restrained demonstration of American staying-power and of steadily increasing South Vietnamese capacity to find their own salvation by themselves?

These were valid questions before the Tet offensive. They are all the more valid now. For the critical new element in the war is not necessarily to be found in the tide of battle. History records that it can turn again—and again. The new element is the near certainty that a burden and a sacrifice which have been borne narrowly by professional soldiers and draftees and that relatively small segment of the American public directly touched by casualties is now about to be spread more widely over the populace as a whole. We are reaching the end of those readily available resources in manpower and money which have permitted us for so long to engage in a war larger than Korea without seriously disrupting the life of the average citizen. Proposals for higher taxes, economic controls, reserve callups, and deeper draft calls must almost surely accompany any substantial increase in our fighting forces.

So there are going to be new doubts and a broader, more intense debate. And because dissent is the natural enemy of a strategy which rests so heavily on the appearance of resolve, it is all the more urgent that these deliberations be purposeful; that the outer boundaries of our realistic options be fully recognized; that, at long last, there be an understanding of the restraints and inhibitions in a limited war for limited ends.

It may even be necessary to begin by acknowledging miscalculations—or failure—in the strategy that has carried us from the Tonkin resolution of 1964, to the first tentative landing of combat troops in early 1965 and the beginning of the bombing of the North, and on to the present involvement of more than 500,000 United States combat troops in a struggle with no clearly visible end-result in sight.

At the outset, there was a reason for projecting an open-endedness to our effort. We were embarking on a campaign of "graduated response" to enemy initiatives. By carefully measuring each increment, while leaving open our readiness to widen the war if need be, the idea was to persuade the North Vietnamese to back down, or at least back off, without provoking a confrontation with the Russians or the Chinese. In the early stages, when we had more scope for enlarging our effort in relative safety, there was more reason to hope that this steady intensification of pressure would prevail.

There are some who now say that just one more increase in our application of military pressure will do the trick. Perhaps it will. But we should be prepared, by past experience, for the possibility—indeed the probability—that it won't. And we must frankly recognize that if it doesn't, there is nothing in our current strategy that would logically argue against yet another expansion of our effort, and another, and another.

This prospect is surely grim enough to encourage a re-evaluation of our Vietnam mission, and a return to first principles.

The first principles were easier to state in August, 1964, when Senator Thurmond asked Secretary Rusk, at hearings on the Tonkin Resolution, whether "we have a policy to win the Vietnam war so we can get out of there, or are we going to stay in there indefinitely?" Mr. Rusk replied:

"I think a highly relevant factor here is that there are a billion and a half people

in Asia, half of them in the Communist world and half of them in the Free World. I don't see how we are going to get a long-range solution to this problem on the basis of our trying to go in there, into this vast mass of people, and try to do a job as Americans in lieu of Asians. I think that it is important for us to try to assist those Asians who are determined to be free and independent to put themselves in a position to be secure."

Harking back to other strictly limited American efforts of the same sort, such as in Greece, Mr. Rusk added:

"These and other problems have all been troublesome and difficult and hard to manage, but the end result it seems to me, ought to be a stable situation with free and independent nations capable of maintaining their own security rather than to try to bring everything to a great cataclysm because, on that basis, there isn't much to settle any more in terms of organized societies maintaining their own independence."

It would be too much to say that Vietnam has now reached the verge of "cataclysm" or that "there isn't much to settle anymore" in terms of an organized society maintaining its own independence. But there is little evidence, in the second readings now being given to the ravages of the Tet offensive, that the South Vietnamese are close, or even getting closer, to the day when they can "put themselves in a position to be secure." Indeed, there is more reason than ever to wonder whether an increasingly more massive American military effort does not sap the will of the South Vietnamese to perform that part of the "pacification" effort which President Johnson and President Kennedy have both agreed "only they can do for themselves."

If an overbearing American presence does not necessarily encourage the self-determination that is at the core of our hopes for South Vietnam, a towering preoccupation with Vietnam, already absorbing so much of our resources, does not necessarily encourage confidence in the American commitment to promote self-determination as a universal principle. We could keep our pledge to South Vietnam and in the process consume our capacity or wear thin our will to make our pledges meaningful elsewhere in the world.

This is the heart of our dilemma and rarely has it been more concisely stated in the recent study by a group of 14 Asian scholars, including some of the Administration's most sympathetic supporters. Few analyses have been more fervent in support of our Asian role and our Vietnam mission. But few have stated more eloquently the need for "flexibility" and acceptance of "complexity," for the concept of "partial commitment" and the avoidance of extremes.

"Nothing would do more to strengthen American support for our basic position," the report declared, "than to show a capacity for innovation of a de-escalatory nature, indicating that there is no inevitable progression upwards in the scope of the conflict. Such a step or steps need not—indeed should not—be massive. Moreover they should be experimental in character, subject themselves to alteration if necessary."

"At stake, however, is a principle essential to the survival of the policies of limitation."

There is going to be debate, a people suddenly confronted with a spreading war burden will want to know why and to what end. There will inevitably be increased pressure from the extremes—to get out, or to get on with it by any means. More than ever there is now a need for sober consideration of alternatives; of military redeployment away from the frontiers to force the enemy to move further from its safe havens and supply sources; of a more passive role for American forces and a more active one for the

South Vietnamese; of greater emphasis on pacification among the people, less on search-and-destroy and body counts; of a return, in short, to first principles.

While we are compelled to deal now with the crisis at hand, we need at the same time to clarify our concepts of this country's mission and settle on methods consistent with realistic and conservative estimates of our capabilities and with careful count of the risks we are prepared to run. There is no doubt a strong impulse to seek a quick decision by expanding firepower and increasing manpower; but it may be more effective to demonstrate our staying power and our sticking power. The knowledge that this country is willing to carry on a sustained effort and wage a prolonged although limited war might constitute a greater enemy deterrent and a larger inducement to accept a negotiated or de facto settlement.

Mr. FULBRIGHT. Mr. President, I shall read that part of the editorial which poses the key questions:

What will we do with the initiative when we regain it, and what is to stop the enemy from trying to gain it back?

Is there not some upper limit to the effectiveness of these reflexive responses, beyond which the risk of wider war outweighs any conceivable gain in the security and stability of South Vietnam?

Mr. President, the editorial is long, but this is the point that I wish to emphasize. Is there going to be debate, or will the people suddenly be confronted with an increasing war burden and want to know why and to what end?

What I am suggesting is if there is any group of men in the United States, which has the burden, the duty, and the responsibility to know why and when, it is the Members of the Senate.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FULBRIGHT. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator is recognized for 1 additional minute.

Mr. FULBRIGHT. Mr. President, what I am suggesting is that the Senate—and it can only be by a consensus of this Senate—insist that it be informed as to the nature of widening commitments, if any—and I am confident they are being reviewed—and that we be given the opportunity to debate any prospective widening of commitments.

The principal, and I think the most evil, effect of the Tonkin resolution of 1964, in the setting and under the circumstances in which it was presented, was that it prevented any meaningful debate from taking place in this body. We did not debate the wisdom of that engagement and whether or not the real interest of this United States, of your constituents and mine, is involved in Vietnam.

It is true that one can point to the words of the resolution which say that vital interests of the United States are involved—

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FULBRIGHT. Mr. President, I yield myself one-half minute.

The PRESIDING OFFICER. The Senator is recognized.

Mr. FULBRIGHT. Mr. President, I submit that is not a valid or a true statement because it was obtained under false pretenses or mistaken facts.

Mr. CASE. Mr. President, will the Senator yield to me on my time?

Mr. FULBRIGHT. I yield to the Senator from New Jersey.

Mr. CASE. Mr. President, I think the Senator is performing a distinctly important and necessary public service. I join with him wholeheartedly in the call for justification by the administration to this body, to the Congress of the United States, and the people before any major increase in American force in South Vietnam is decided upon.

I think we must insist upon that. Unless Congress takes the responsibility of insisting it be advised of the reason, the justification, and the hopes of this administration we should refuse to go along. I say this because it has been increasingly made apparent to me, at least, and I think to all of us in this body, and to all the American people that there are unexplainable discrepancies between reports that have come back to us from disinterested observers by the score, of the press, magazines, and all media of information who have observed what has been going on in South Vietnam for a long time, and the official optimistic reports that have come to us from the administration, the Department of Defense, and the Department of State.

I think we cannot any longer evade the responsibility of a share in the decision as to whether we are to continue in the present way, for it is now a question as to whether or not the war is winnable without the destruction of South Vietnam and much of American might itself. We must insist that the administration justify any conclusion, that the commitment of additional American forces will not be self-defeating and the cause of possibly great disaster.

I commend the Senator and I join with him.

Mr. MILLER. Mr. President, will the Senator yield to me on my time?

Mr. FULBRIGHT. I yield.

Mr. MILLER. Mr. President, I thank the Senator.

At the time we had before us the Gulf of Tonkin resolution I cast my vote in favor of it and I did so on the assumption that any military action taken by the President of the United States in the conduct of a war—

Mr. FULBRIGHT. Mr. President, may we have order? I cannot hear the Senator.

The PRESIDING OFFICER. The Senate will be in order.

Mr. MILLER. I did so on the assumption that the military action taken by the President of the United States in the conduct of a war would be according to the best traditions of our military service. If at that time someone had told me that the conduct of a war after the Gulf of Tonkin resolution would be a prolonged war strategy, and if someone had told me that the Preparedness Investigating Subcommittee 2 years later would have found in 1966 that of the thousands of sorties flown over North Vietnam less than 1 percent would be directed at key chief of staff targets, I

would not have supported the Gulf of Tonkin resolution.

I think what should be done—and I have said this all along—is for the administration not only to tell the Senate but also the American people why we must have been enduring a prolonged war policy. If the point is well taken, the American people will accept it. I do not think they will because the point cannot be well taken. But it needs to be taken or something should be done about a change in the conduct of the war.

Mr. FULBRIGHT. I am not trying to prejudice the substantive matters the Senator raises. Everybody has different views on this. What I am saying is that I think from now on and under conditions now existing, when we know there have been recommendations for very large increases in manpower, and when we hear stories of serious differences in strategy being considered—and I am not privy to those conferences—I think the Senate and the country are entitled to know what those plans are and to have the opportunity to discuss them and arrive at some kind of conclusion as to the validity of these policies.

Mr. HATFIELD. Mr. President, will the Senator yield to me on my time?

Mr. FULBRIGHT. I yield.

Mr. HATFIELD. I would like to join with the Senator from Arkansas. This is a subject which has long concerned me, and I wish to thank him for bringing the issue before us at this time.

Mr. FULBRIGHT. I failed to mention the fact that the Senator's own resolution set my mind to working on this, and I refer to the resolution submitted by him several days ago.

Mr. HATFIELD. I thank the Senator.

I think the question is not whether we dissent from or assent to the present war policy as much as it is a question of what is the proper role that we in Congress should play in the general warmaking policies of our country. I do not think it is a clear-cut issue. I think that lawyers and students of government can determine whether the President is acting with or without legal authority. This question was not easily resolved in the Constitutional Convention.

At the same time, it is incumbent upon all of us to declare our positions so clearly that the President realizes, even though he may have the warmaking power, that Congress has the war declaration power. I think there is a distortion and an imbalance today as to what is the war declaration power of Congress and that which is the warmaking power of the President.

I do not know that my resolution—Senate Concurrent Resolution 63—is going to resolve the matter, but it is clear to me that we in Congress should engage in meaningful dialogue whereby the points can be debated and the constitutional questions raised, especially as relating to the war.

I remind Senators that as far back as 1965 the Americans were suffering about three deaths a week. This figure rose to 26 per week in 1966, 98 per week in 1967, and last week there were 542 American deaths.

In other words, the extent to which we are moving into this war is such that we have reason to question the direction and the trend.

I do not believe that we should sit idly by or, in the name of blind patriotism, say that we endorse everything a President does. By the same token, I think we have a responsibility to challenge; to expect and demand information which will put us in proper balance in the matter of warmaking.

Again I want to commend the Senator from Arkansas. I am hopeful that we will consider this as our duty regardless of our viewpoints.

I happen to be a critic and a dissenter, but I do not think that is the question. We must resolve the question as to what our actual and appropriate role should be in sharing in decisionmaking as to the question of war and peace.

Therefore, I submitted my resolution and hope that we would not try to undo it, because we cannot go backward. But from this point on, Congress should say to the President very clearly that if he deems it vital, if he deems it absolutely necessary, in the interests of our country, to expand the war, we should, therefore, share in the decisionmaking, that it should not be the decision of one man, that it should not be a matter of a President's asking us to ratify that which he has already decided upon.

Congress must be a full, participating partner in this particular warmaking policy that the President has embarked upon.

I want to thank the Senator from Arkansas for making possible this kind of focus upon this matter. I join him on it.

Mr. FULBRIGHT. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 1 minute.

Mr. FULBRIGHT. I want to reply to the Senator from Oregon by expressing my appreciation of what he has just had to say. His own resolution has certainly sustained me, at this time in particular. He made reference to the Gulf of Tonkin resolution, and the possibility of its repeal. We do not have to go back to repeal it. If one reads the recent hearings of the Committee on Foreign Relations, and the testimony of the Secretary of Defense, the resolution has effectively been repealed because it was based upon false representations to the committee. I do not think we could consider that any more valid than we would any other contract based upon false representations. I do not see any need whatever to take any action with regard to a resolution based on any such misapprehensions.

I appreciate the Senator's comments. Mr. JAVITS. Will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield to the Senator from New York on his own time.

Mr. JAVITS. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from New York is recognized for 1 minute.

Mr. JAVITS. I wish to speak for 1 minute only to raise one question with the Senator from Arkansas; namely, if we

do have an informal go-around or even a committee hearing or discussion in executive session with those in the administration who might acquaint us with their views, are we not begging the question and have we not been doing so right along, in this sense; that what is really needed is for Senators to debate directly upon this issue on the floor of the Senate. Is that not the challenge, because it will ascertain the temper of the country and the convictions of Senators.

Mr. FULBRIGHT. That is what I was suggesting.

Mr. JAVITS. Is it not possible for Senators to get untangled from their own feet? The Senator from Arkansas is the chairman of the Committee on Foreign Relations—a very critically important position—so why could he not bring in some resolution? I have one. The Senator from Oregon [Mr. HATFIELD] has one. The Senator from Arkansas [Mr. FULBRIGHT] has one, too. They should be brought before the Senate for discussion and Senators should address themselves to what shall be the policy of the United States upon this burning issue.

Mr. FULBRIGHT. If I may respond to the Senator from New York, I think we have already in part achieved that purpose—I think I am confident of that—because very grave reconsideration is now going on. We know that it has been reported in the press that General Wheeler brought back recommendations. We have not been told what they are. In order to provide for free discussion, it seems to me it is the duty of the administration to inform us—the Senate as a whole and my committee as an agent—and submit to the Senate what their present plan is, and the justification for it, and let that be the basis for a full and searching debate upon this question. That is what the Senator is talking about, rather than to have a debate, sort of in the abstract, as to policy.

Mr. JAVITS. In limbo.

Mr. FULBRIGHT. That is exactly what I have in mind.

Mr. CHURCH. Mr. President, will the Senator from Arkansas yield on my own time?

Mr. FULBRIGHT. I am happy to yield to the Senator from Idaho on his own time.

Mr. CHURCH. Mr. President, let me say to the Senator from Arkansas how much I appreciate the importance of the issue he has raised in the Senate this afternoon.

During the Second World War, I served in Asia. I came away persuaded that Asia is an endless morass and that the day of Western control of Asian affairs had passed.

In the years since, we have seen all the other Western nations driven from Asia, one by one. We are the last to keep a foothold on the mainland of Asia.

Mr. President, sometimes I think that we are fascinated by this baited trap. We stand ready today—poised if you will—to plunge still deeper into Asia, where huge populations wait to engulf us, and legions of young Americans are being beckoned to their graves.

That is the issue.

If we are going to fight Asians in Asia with American men, on an ever spread-

ing Asian front, then we had better face it now. We shall soon run out of men and money.

The Constitution vests in Congress a fundamental responsibility in the matter of war and peace. We have abdicated that responsibility in recent years. The last two wars have been Presidential wars.

Now we are at a critical point in determining whether this war shall continue to be a limited engagement or whether it is going to be spread into a general engagement on the Asian mainland.

This is the time to reassert our prerogative, to insist upon full congressional participation in that decision. This is the time.

Afterwards, if we fail to act now, we will be faced once again with the obligation to vote the money, once the troops have been committed and Americans are engaged in an expanding war. That has been our predicament in the past. I would hope that we would heed the words of the distinguished chairman of the Committee on Foreign Relations and insist now that Congress be fully included before the next fateful step is taken in enlarging this tragic war.

If we fail now to assert our constitutional responsibilities, we shall have only ourselves to blame for any disaster that the future may hold.

Mr. FULBRIGHT. I thank the Senator from Idaho.

Mr. KENNEDY of New York. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I am happy to yield to the Senator from New York, on his own time.

Mr. KENNEDY of New York. Mr. President, I rise to join the Senator from Arkansas in urging that before any further major step is taken in connection with the war in Vietnam, the Senate be consulted.

No issue which has so divided the United States, in many, many years, as has the war in Vietnam.

There are Senators who disagree with one another. There are Senators who disagree with the executive branch. It seems to me that if we are going to take this step in connection with the war in Vietnam, it would be well to take whatever steps are possible to get concurrence and support of the Senate, and of the American people.

I think it would be a mistake for the executive branch and for the President to take a step toward escalation of the conflict in the next several weeks without having the support and understanding of the Senate, and of the American people.

Everytime we have had difficulty over a period of the past 7 years, over the period during which I was in the executive branch, and since I left the executive branch, the answer has always been to escalate the conflict. It has always been to send more troops. And at the time we sent the larger number of troops, or increased the bombing, we have always stated that there would be light at the end of the tunnel, that victory is just ahead of us.

The fact is that victory is not just

ahead of us. It was not in 1961 or 1962, when I was one of those who predicted there was a light at the end of the tunnel. There was not in 1963 or 1964 or 1965 or 1966 or 1967, and there is not now.

It seems to me if we have learned anything over the period of the last 7 years, it is the fact that just continuing to send more troops, or increasing the bombing, is not the answer in Vietnam. We have tried that. It seems to me something different should be tried.

I know that in the executive branch of the Government different policies have been suggested. I think they should be considered by the Senate of the United States. I think they should be considered by the American people. I do not think we can assume that what we have done in the past is automatically right, any more than the predictions that have been made in the past have been right.

Moreover, there is a question of our moral responsibility. Are we like the God of the Old Testament that we can decide, in Washington, D.C., what cities, what towns, what hamlets in Vietnam are going to be destroyed? Is it because we think it may possibly protect the people of Thailand, the people of Malaysia, the people of Hawaii, or keep certain people out of Texas or California or Massachusetts or New York?

Or do we have that authority to kill tens and tens of thousands of people because we say we have a commitment to the South Vietnamese people? But have they been consulted—in Hue, in Bin Tre, or in the other towns that have been destroyed? Do we have the authority to put hundreds of thousands of people—in fact, millions of people—into refugee camps for their protection—or should these decisions be left to them?

As to our own interests in Vietnam, could not the Germans or the Russians have argued the same thing before the beginning of World War II—that they had the right to go into Poland, into Estonia, into Latvia, into Lithuania, because they needed them for their own protection, that they needed them as a buffer? I question whether we have that right in this country.

It seems to me before we take major steps, to send perhaps 200,000 more troops to Vietnam, that we should ask some very, very significant questions. I would like to know what the purpose would be of sending more American troops there, and what they could accomplish that has not been accomplished by the American troops that are already there.

I would like to know what the people of South Vietnam are going to be willing to do themselves.

If we are going to draft American troops of 18 and 19 years of age and send them to Khe Sanh, Con Thien, and on the border of the demilitarized zone, are we also going to say—as we now are doing—that the people of South Vietnam do not have to draft their own 18-year-old and 19-year-old boys?

When our own marines are going into Hue to recapture it, do we have the right to stand by and merely look at thousands of South Vietnamese looting Hue that has been liberated by us? Do we have to

accept that? Do we have to accept the situation in which we are told that a young man in South Vietnam is running his father's factory because he paid off his draft board and does not have to go?

When this was brought to the attention of the President, he replied that there is stealing in Beaumont, Tex. If there is stealing in Beaumont, Tex., it is not bringing about the death of American boys.

Officials have said, as reported this rupture in South Vietnam. Do we have to afternoon, that there is deepseated corruption that?

Who is our commitment to? Is it to Ky, or to Thieu?

Do we waive the great authority and power of the Senate of the United States by saying we cannot do anything if those in South Vietnam say they are not going to draft their 18- or 19-year-old boys, that they are not going to do anything about corruption, that anybody can buy his way out of the draft, and does not have to fight, even though American boys have been sent and have to stay and fight at the demilitarized zone?

Do we have to accept that in the Senate of the United States? I do not think we have to. I think we can do something about it in the Senate.

I know some have said that we should intensify the bombing in the north. They should be heard. I do not happen to believe that is the answer to the problem, but I do know that what we have been doing is not the answer, that it is not suitable, that it is immoral and intolerable to continue it.

If we are going to continue what we have been doing, when we were told we were just a little way from victory before, and send 100,000 men or 200,000 more men there, the Senate should be consulted and its approval should be received.

Mr. FULBRIGHT. Mr. President, I yield myself 2 minutes.

The Senator from New York has most eloquently put the issue before us. But whether one agrees with the views of the Senator from New York or my views is not the question I am raising. There are 100 Senators here, representing every citizen of the United States. It seems to me we ought to take the responsibility at this critical hour to see what the administration plans are and their justification and then to make our own judgment on it.

I know that in times past, from the old tribal days, it has always been said that we should follow the leader; that we should get behind the leader, that that is the only way for survival. There is something in that. Under some circumstances, I would do the same. But nobody is claiming that Vietnam is threatening the security of this country. It is not that kind of war, and that is why it is so difficult.

This question requires the judgment of our citizens now before acting otherwise we are going to find ourselves in a situation in which all of us will have to gather behind the leader in a third world war. That is what we are interested in avoiding. I am interested in

helping this administration to avoid any such disaster.

Mr. TOWER. Mr. President, I yield myself 5 minutes.

The implication has been made that we have suffered a series of very great defeats in South Vietnam. I do not accept that thesis. I am not saying that we have accomplished a great deal in that unhappy land in the last 6 weeks.

Mr. FULBRIGHT. Mr. President, will the Senator yield, on my time? If we did not suffer any defeat or difficulty, why is there a request for 200,000 additional troops?

Mr. TOWER. Because now the administration is doing what a number of us have been saying for 2½ years—that you cannot win a war by a graduated response—by a policy of gradualism; that the only way to achieve military victory is through military power, massive air and sea superiority, to achieve the objective at the earliest possible time, with the maximum of impact.

We are confronted with a situation in which a very patient enemy has been led to believe that we are sorely divided, and that if he will only fight long enough and make clever plans for offenses from time to time, we will become weary of the war and that we will give over the country in a veil of surrender or under some face-saving method and get out. I believe that is what this protracted debate has been accomplishing.

The enemy did not succeed in generating a general, major uprising of the citizenry of South Vietnam. He did not succeed in seizing a single city and holding it. He lost thousands and thousands of men. In the first 8 days, he lost over 20,000. A great many of these were hardcore Vietcong guerrillas. The North Vietnamese Army cannot function without them in South Vietnam, and also they are guerrillas that cannot easily be replaced.

I think the major achievement of the the enemy has been to frighten so many people in this country into wanting to get out, into negotiating, into believing that we cannot win, into believing that we are losing and we have to just withdraw unilaterally.

Let us understand the consequences of that. It has been said that we must not be bogged down in the morass of Asia. What would happen should we get out of Asia and let Southeast Asia go? What is going to be the view of the people of that area, who are dedicated anti-Communists, who are making great social and political progress, if America pulls out of Southeast Asia?

What about the great giant of Japan, potentially one of the greatest allies we have, a productive, prosperous country, already asserting leadership in that part of the world?

What about Thailand, which is making great social and economic progress every day?

What about Indonesia, which partially, though not entirely, because of the United States presence there, was able to throw out Sukarno and the Communists, and proceed to rehabilitate its economic and political affairs?

What about Lee Kuan of Singapore?

What about Tung Ku of Kuala Lumpur?

What about Sato, who visited there and asserted his approval of the Saigon government?

Are we going to abandon all this? What are the alternatives proposed by my friends opposite? Do they propose that we proceed to withdraw immediately? If that is the proposition, then perhaps we had better reexamine our position all over the world. Maybe Joe McCarthy was right, if these gentlemen indeed are right, in the view that we should withdraw to "fortress America," assert a neo-isolationism, and forget about the rest of the world.

Mr. HARTKE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. Does the Senator from Indiana wish me to yield to him on his own time?

Mr. HARTKE. Mr. President, I yield myself 5 minutes, or such time as I may need.

Mr. President, I congratulate the chairman of the Committee on Foreign Relations and the Senator from New York for their fine statements, and I hope that the resolution of the Senator from Oregon will be speedily acted upon. It certainly should be.

I think the statements made by the Senator from New York were certainly most eloquent. I would call attention to the fact that there are numbers of people in this country quite honestly concerned about where we are going. This matter has even gone so far as to involve the financial community. There is a devastating article in the Wall Street Journal of yesterday, March 6, 1968, which talks about "Dovish Wall Street: Intensification of War in Vietnam Now Causes Big Stock Price Drops—Traders Fear Escalation Will Bring Economic Controls—Peace Rumors Are Bullish, Reversing the 1965 Pattern."

I ask unanimous consent that the article to which I have referred, written by Victor J. Hillery and published in the Wall Street Journal of March 6, 1968, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DOVISH WALL STREET: INTENSIFICATION OF WAR IN VIETNAM NOW CAUSES BIG STOCK PRICE DROPS—TRADERS FEAR ESCALATION WILL BRING ECONOMIC CONTROLS; PEACE RUMORS ARE BULLISH—REVERSING THE 1965 PATTERN

(By Victor J. Hillery)

NEW YORK.—One of the more impressive demonstrations of antiwar feeling is under way these days in about the last place that peace marchers would look for it—Wall Street.

It's a demonstration without banners, slogans or draft-card burnings. But it's unmistakable. On the increasingly rare occasions that rumors of Vietnam peace negotiations circulate, stock prices go up sharply—and that's about the only time they do go up. Whenever the fighting intensifies or threatens to intensify, investors sell shares in enough volume to produce a sharp price break.

Brokerage-house explanations of this pattern echo one of the chief arguments of political "doves"—the argument that the Asian conflict is worsening internal strains in American life and may lead eventually to

a regimented society. Wall Street's version: Escalation in Vietnam is aggravating such economic ills as inflation and the balance-of-payments deficit, and it raises the threat of an economy shackled by Government wage-price controls—the greatest of all investor fears at the moment.

THE BLESSINGS OF PEACE

Some Wall Street descriptions of the potential blessings of peace sound surprisingly New Leftish, too. "Peace in Vietnam would produce a dramatic upsurge in the market—a psychological explosion that would push the Dow-Jones industrial average over 1,000," says Eldon A. Grimm, senior vice president of Walston & Co. (the average closed yesterday at 827.03; its highest close ever was 995.15 in early 1966). Among the reasons Mr. Grimm uses to support his view: "instead of throwing (Government) dollars down a rat hole, they could be spent more beneficially on the rebuilding of slums, highway construction, urban transit and on the neglected space program."

In any case, says Ralph A. Rotnem, senior vice president of Harris Upham & Co., "which way the market moves depends on the direction of the war news." And of late, says Monte J. Gordon, senior vice president of Bache & Co., "the market has been nervous and skittish," with Vietnam "the overriding and pervasive factor."

Wall Street hasn't always viewed the war as it now does. In the summer of 1965, when President Johnson made the first major commitment of American combat troops to Vietnam, his move made investors feel anything but nervous and skittish; from a level of about 861 in late July 1965 the Dow-Jones industrials climbed steadily to the historic high of 995.15 on Feb. 9, 1966. Investors then saw big military outlays as spurring an economy that they thought was threatening to go sluggish. They not only greeted escalation of the fighting with vigorous buying but sold on rumors of peace talks.

A 14-MONTH LOW

Now the pattern is the exact opposite. The last time the market heard vague rumors that North Vietnam might be willing to talk peace, the Dow-Jones industrials spurted 7.78 points in a single day, Jan. 8, to their recent closing peak of 908.92. When those rumors proved unfounded, prices began to drop, and the break accelerated sharply when ferocious Vietcong attacks erupted in cities throughout South Vietnam. By Feb. 13, the average had plunged 77.15 points, or 8.48%, to a close of 831.77. A minor recovery followed, but it gave way to a new decline as soon as reports circulated that the Administration was considering committing more troops to Vietnam and calling up some reserves; yesterday the average closed at a 14-month low of 827.03.

The biggest reason for this escalation-is-bearish attitude unquestionably is investors' fear that a bloodier war will lead sooner or later to wage and price controls, which would put a damper on corporate profits.

Until recently, Washington officials usually had mentioned controls only in the course of denying that any were contemplated. But lately there have been vague hints that controls might be needed to combat inflationary pressures, at least if Congress continues to stall President Johnson's request for a 10% income-tax surcharge.

INFLATION WORRIES

The inflationary pressures, aggravated by war spending that increases the Government budget deficit, are in themselves another major market worry. "The wage-price spiral is already serious and is continuing to gain momentum," says Argus Research Corp. Last year average hourly compensation to U.S. manufacturing workers rose 6.1%, while the workers' output per man-hour inched up only 0.9%. Wall Street believes the result-

ing labor-cost pressure on manufacturers' profits has been only partially relieved by price boosts.

The war also adds to the drain of dollars out of the U.S., which both Wall Street and the White House see as reaching crisis proportions. In the fourth quarter, the balance-of-payments deficit hit a seasonally adjusted \$1.8 billion, the worst in any quarter since 1950.

With that big a deficit, says Argus Research, "there is no disguising the fact that the dollar is in a weaker position than at any time since World War II." And President Johnson's measures to stop the dollar drain, which include mandatory curbs on U.S. business investments overseas, appeared to some investors to foreshadow the kind of controls that war strains may cause to be clamped on the domestic economy.

Analysts and investors blame a variety of other problems largely on the war, too. In fact, "the market really doesn't have any problems now that aren't related to the war," says Robert T. Allen of Shearson Hammill & Co.

With the tax surcharge stalled, the Federal Reserve Board since November has been following a more restrictive credit policy to combat inflationary pressures. This policy seems now to be discouraging corporate borrowing to finance new plants and equipment. In 1967's fourth quarter, capital appropriations by the nation's 1,000 largest manufacturers slipped to \$5.7 billion, or 4% less than in the third quarter, says the National Industrial Conference Board.

Even a tendency by consumers to save an unusually high proportion of their incomes—7.5% in the fourth quarter, the highest figure in 14 years—is blamed on the war by most market analysts. They say consumers are unwilling to make new outlays when the possibility of a tax boost hangs over them, and young men in particular aren't anxious to make major purchases such as new cars while they face the draft.

BULLS ON PEACE

Peace, say many analysts, would eliminate or at least greatly ease all the market's fears. It "would cool down inflation significantly, ease the balance-of-payments problem, relax the monetary situation, remove the need for a tax increase and eliminate the threat of economic controls," says Richard E. Scruggs of Goodbody & Co. Mr. Allen of Shearson Hammill adds that "not only would the threat of a tax increase be removed, but before too long a tax reduction probably would be possible."

Analysts divide on whether peace would be bullish immediately, or only after an initial stock-price downturn. Mr. Scruggs, for one, thinks the "first flush" of peace might bring a short-lived price drop because of the uncertainty that arises whenever investors face "an entirely new ball game."

Even Mr. Grimm of Walston, perhaps Wall Street's leading bull on peace, cautions that "a peace that was based on a Communist success in Vietnam and encouraged them to start new drives in Laos and Thailand" wouldn't help the market much. And though investors have been treating rumors of peace negotiations as highly bullish, some analysts say the start of actual negotiations might not bring a lasting price upturn. They remember that the negotiations that eventually ended the Korean War dragged on for two years while intense fighting continued.

POSTWAR RECESSION A "MYTH"?

But analysts dismiss any thought that "genuine" peace in Vietnam would be followed by a postwar recession. That has been the traditional reason for the market to treat peace as bearish, and in the past it has not always been invalid. A recession did begin one month after the Korean War, and it continued for about a year.

But analysts say the world was different

then. "It's a myth that war has to be followed by a recession, particularly in this day of a Government-managed economy," says Mr. Scruggs of Goodbody. Postwar recessions traditionally are caused by drastic cutbacks in Government military spending. But analysts now expect the effects of such cutbacks on the economy to be offset either by the stepped-up Government spending for domestic needs that Mr. Grimm of Walston expects or by the tax reduction that Mr. Allen of Shearson Hammill looks forward to, or possibly by a combination of both.

Cutbacks in military spending, of course, would result in more than a brief setback for some industries. They "would hurt the defense industries and some of the electronics producers," says Newton D. Zinder of E. F. Hutton & Co., though he adds that "most basic industries would welcome peace."

Other analysts note that the defense industries already are out of favor with many investors—perhaps the strongest of all indications of Wall Street's antiwar mood. "Strange as it may seem, in view of the faster tempo of the war, there is a definite prejudice against stocks with a high national-defense emphasis," says Lucien O. Hooper of W. F. Hutton & Co.

Mr. HARTKE. Mr. President, newspaper articles such as this demonstrate that there is increasing awareness in American society today that not only are our young men being sacrificed at an ever-increasing rate, but that the very Treasury of this Nation is in deep danger of being destroyed. The whole economic system of the United States is now in danger of collapsing as a result of a thing called the Vietnam war, a war about 10,000 miles away from home, in which there has been no definition of a noble purpose for which this country should be destroyed.

I should imagine, if one were in the Kremlin and could draw blueprints for action to destroy the United States, one could probably simply say, "Look, at what the United States is doing now," and add, "Nothing could do better to destroy the United States and to break the system they have developed, including the freedoms of the individual, the right of a person to worship as he pleases, say what he wants to live where he wishes, travel where he wants to"—nothing could accomplish the purposes of the Communists more readily than what is being done in Vietnam now.

Certainly, in a democracy, where we place a high value on human decency, where we have believed that reverence for life is the goal of humanity, this is a far cry from accomplishing those purposes. Here we have a war now costing us more than \$4 million an hour—more than \$4 million an hour—where we do not even listen to the wise words of the former President of the United States, President Eisenhower, when he said we should wage a war for peace, strengthen the United Nations, and go forward to meet other nations in the field of trying to help humanity. We have been moving in the opposite direction.

I hope that the Committee on Foreign Relations will insist that before we take another step, before we move further up this path toward the ultimate destruction of America itself, that the Senate will at least try to exercise the responsibility that is properly ours.

Mr. FULBRIGHT. Mr. President, I ap-

preciate the Senator saying the Committee on Foreign Relations should do this. However, it seems to me that it will have to be the Senate as a whole that does the insisting. Unless a large percentage of this body insists on exercising its responsibility, the insistence of the Committee on Foreign Relations will not get very far. We have insisted on a number of things, for a long time, and we have not had a very adequate response.

I am raising this subject on the floor instead of in the committee, because all 100 Senators share responsibility for the lives and fortunes of our people as much as the Committee on Foreign Relations. If the Members of this body are not willing to join in the request that we be informed and have an opportunity to debate the matter, it will not be done. It has not been done up to now, during this war.

We have, as I have already stated, a resolution which was brought here and given to the Committees on Foreign Relations and Armed Services with false statements as to the reasons for it. I accepted the administration's proposed resolutions. I brought it to the floor of the Senate, and submitted it to the Senate. It was passed almost unanimously, with only two dissenting votes.

That is the record, as far as authorization or approval of the war in Vietnam goes.

I am only saying that all Senators should have an interest in this matter, one way or the other. Even those who are 100 percent behind the war, it seems to me, should be in favor of our being informed and having a discussion about it, and in justifying it if they are behind it. That is the only point I am trying to make.

Mr. HARTKE. Mr. President, replying on my time to the chairman of the Committee on Foreign Relations, I ask those who are endorsing the policy of this administration, if it is productive of good results in their opinion, why should they fear having the American people, a self-governing society, have the right to have all of it explained in detail before the people? Certainly the people have the right to know.

I have read the record of the hearing before the Committee on Foreign Relations when Gen. Maxwell Taylor appeared. We had at that time about 35,000 to 37,000 troops in Vietnam, and they were then saying that they needed 75,000.

The question was asked General Taylor at that time:

Do you think there will ever be a time when we will need 175,000?

He said:

I do not want to be firm in my figures. I would agree that we might need a few more than 75,000, but we would never need 175,000.

I remember those people who used to talk about the need for a million. They said, "Never will we need a million." Today that is a thinkable figure, and only 2 years ago it was unthinkable.

I think if we had had this matter presented, as the Senator from Texas would like, in the context of everything that could be understood, the American people could have made a decent judgment, and would not now find themselves being

slowly bled to death. For just as a leach bleeds a person to death, this country is being bled of its treasure, its manpower, and its young people.

How are we going to answer those people? For what noble purposes are they dying? Are they fighting communism? Then why do we not fight it in Cuba? Why do we not answer the questions of General Hsiu? Why do we not have General Hsiu, this dedicated military man, appear before the American people and tell them what is going on? Why do we not answer the questions of General Gavin?

Mr. TOWER. Mr. President, will the Senator yield?

Mr. HARTKE. I am happy to yield to the Senator from Texas.

Mr. TOWER. Does the Senator advocate that we invade Cuba?

Mr. HARTKE. No. I ask this simple question: I ask the Senator from Texas, does he advocate destroying communism in Cuba?

Mr. TOWER. Mr. President, I should very much like to see us adopt some of the very successful methods used by the enemy. He follows a strategy not always of overt, but covert, aggression. He has established his infrastructures clandestinely in most of the underdeveloped countries of this world; and every time this clandestine infrastructure surfaces and starts a guerrilla war, there are too many people in this country who say it is just a little old domestic revolution.

Mr. President, it is no such thing. To answer the Senator's question—No, I think perhaps we have waited too long in Cuba. I think that by covert means we should support every effort on the part of those who resist the Castro regime in Cuba, and we should do everything we can to discourage Castroite rebellions in other parts of Latin America, which are always staged in Cuba. I think we should do that.

If we abandon Vietnam, then, of course, we abandon Laos as well, and Cambodia, and then Thailand. What are we going to do about Thailand? There is a Communist underground organization mounting terrorist attacks against the people in Thailand, and North Vietnamese guerrillas are deeply involved.

Several Senators addressed the Chair.

Mr. HARTKE. Mr. President, I refuse to yield further to the Senator from Texas on my time, I shall be glad to yield further on the Senator's time.

The PRESIDING OFFICER. The Senator from Arkansas has the floor.

Mr. MANSFIELD. Mr. President, I think it should be crystal clear that anyone who speaks on his own time, under the present parliamentary situation, time cannot be transferred.

The PRESIDING OFFICER. The Senator from Arkansas has the floor.

Mr. HARTKE. Will the Senator from Arkansas continue to yield 1 more minute to me, on my own time?

Mr. FULBRIGHT. I yield.

Mr. HARTKE. What about the imprisoned people in China? That is one-fourth of all the people in the world. Does the Senator from Texas advocate

going in and freeing those people? What are we going to do about them? They are as human as the people in Vietnam. We keep saying we are going to "free" the South Vietnamese; what about the people in China, a fourth of the people of the world?

Mr. TOWER. I shall be happy to respond, if the Senator will yield.

Mr. HARTKE. I will be happy to yield on the Senator's time. Otherwise, he can use my time; I do not care.

Mr. FULBRIGHT. No, the Senator cannot transfer his time.

Mr. HARTKE. I will be happy to get an answer on anybody's time.

Mr. TOWER. Mr. President, speaking on my own time, it is too late for us to go in and liberate the masses of China. The Senator very well knows we cannot do it. It was our mistake which led to the enslavement of China. Instead of listening to the warnings of people like MacArthur and Chennault, we yielded to the arguments of those who said that the Chinese Communists were merely agrarian reformers, and we permitted China to fall. That is one of the mistakes that led to Vietnam, and I do not condone it.

The point is that once the Communist supporters have been defined, if we permit them to expand, or permit them to maintain more military adventures, it is likely to lead to world war III.

The late Adlai Stevenson defended our position in Southeast Asia. He said that we cannot allow them to continue opening door after door, until they lead to the final door that will result in the ultimate conflagration.

I reject the position that the Russians are going to start throwing thermonuclear charges at us. It simply does not make sense.

The Soviets may be an unpleasant people, but they are not foolish, and they are not going to destroy the Soviet Union as a viable society by initiating a thermonuclear war because of what we do in Southeast Asia.

Mr. HARTKE. If the Senator is correct, why would he have any objection to telling the people? We are a self-governing society. Why are not the American people entitled to know where we are going to end up, how many more troops we want to send, and whether we want to follow the advice of Admiral Burke, who said that we should invade the North?

Mr. TOWER. Mr. President, I would be glad to answer that question on my own time.

I do not favor the administration position always. I am sure that the distinguished Senator from Indiana has more influence with the administration than I do.

I am a member of the opposite party. I am not in favor with the Democratic Party. However, once they have adopted a basic policy by which we have committed American boys there, we are not going to serve the American interest by creating in the minds of the enemy a question that we are divided or are ready to throw in the towel and get out.

If we do create that impression, let us get out before we waste American lives. However, if we determine to stay, let us make sure to understand that determination.

I remember the cry of John Foster Dulles: Massive retaliation. We came back with the policy of flexible response. They want to abandon the policy of flexible response. Are we going to maintain a respectable deterrent? That means being able to respond with however much and whatever type of force is necessary. And that deterrent must be credible.

It would not be credible if we pulled out of Vietnam. The whole world would be saying, "The United States is a paper tiger. We can capture her ships on the high seas and attack her friends with impunity."

That is exactly what they are doing.

Mr. HARTKE. Mr. President, I say to my good friend, the Senator from Texas, that the Senator from Indiana probably is at the end of the line as to influence with the administration on its policy. I would think that, being a fellow Texan, the Senator from Texas would be much more influential with the administration than I would be.

If the Senator wants to defend the policies of the administration, why does he not want the administration to tell us what the policies are?

Perhaps I can find common ground with the Senator from Texas on the question of letting the people know what the next step will be. The Senator says that we should use the arsenal strength. I agree. However, military might does not establish our determination alone. American strength is in our ideals and our principles. This is the strength of America.

The typical America is not one who lords it over a fifth-rate nation, I would say that all America is in a state of shock at what happened recently. The situation has certainly been serious, and the death toll of 542 this past week is just one short of an all-time high—a shock to all America.

None of us can say anything to alleviate that death and suffering. No one can define any satisfactory explanation as to why 80 Americans must die every day in Vietnam. We must win the hearts of the people. We are not winning them, that I understand.

I thought General Gavin's statement to the Nation was excellent—that America is to be bewildered by the surprise that occurred during the recent raids of the major cities of South Vietnam. The thing that shocked him the most was how the Vietcong could come into the hearts of the cities without there having been a general betrayal by the countryside. It certainly demonstrates that there is something wrong in Saigon and in Vietnam.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. FULBRIGHT. Mr. President, I yield to the Senator from Maryland.

Mr. TYDINGS. Mr. President, I take this opportunity to commend the Senator from Arkansas. I know that the people of my State at least want very much to have the U.S. Congress fully discuss all aspects of the Vietnam war before any escalation takes place, before more Maryland boys, more American troops are sent into Vietnam.

I for one would like to know what the distinguished senior Senator from Geor-

gia [Mr. RUSSELL], the distinguished junior Senator from Mississippi [Mr. STENNIS], the distinguished senior Senator from Missouri [Mr. SYMINGTON], the distinguished junior Senator from Washington [Mr. JACKSON], and other Senators know about the proposed escalation of the war, whether they have been consulted, and what their views are.

Our forefathers who fought against colonial rule rejected the idea that one person could commit the young men of a nation to battle without the full and free consent of the people of that nation.

When our forefathers drafted our Constitution, they specified that the Senate of the United States would have certain responsibilities, and among those responsibilities was the provision that the Senate advise and consent in the conduct of foreign policy.

I can only say that I think it is high time that the Senate fully participate in the conduct of our policy in Vietnam, before new action is taken rather than afterward.

As I indicated, I would also like to hear the judgment of some of the senior Members of the Senate and have the facts before the Senate in advance of the event, rather than after the event.

I commend the distinguished Senator from Arkansas for his efforts in this matter.

Mr. FULBRIGHT. Mr. President, the Senator has expressed exactly the main point in my remarks. I want to hear exactly the same thing. I am not trying to guess in advance what the judgment of this body or of the administration will be.

The Senator expressed exactly what I had in mind when I spoke earlier.

Mr. LAUSCHE. Mr. President, the Senator from Arkansas does not have the floor.

The PRESIDING OFFICER. The Senator from Arkansas does have the floor.

Mr. LAUSCHE. Mr. President, how much time can the Senator yield? He has only 1 hour, and he has yielded 1 hour already.

Mr. FULBRIGHT. Mr. President, may I make a point of order. The Senator from Ohio is out of order.

Will the Presiding Officer ask him to sit down?

Mr. LAUSCHE. Mr. President, a parliamentary inquiry.

Mr. FULBRIGHT. Mr. President, I do not yield for such purpose.

The PRESIDING OFFICER. The Senator from Arkansas has the floor.

Mr. NELSON. Mr. President, will the Senator from Arkansas yield on my time?

Mr. FULBRIGHT. I yield.

Mr. NELSON. Mr. President, I join the other Senators in endorsing the suggestion of the Senator from Arkansas that we have a full-dress discussion on the floor of the Senator on the matter of Vietnam.

I am a little puzzled by some of the comments I hear on the floor concerning Vietnam. I remember so well before we committed any troops on the ground in Vietnam at all, and when the first commitment of troops on the ground was started those of us who stood on the floor and opposed the commitment of troops in Vietnam on the ground that it would involve us in a big war received a

lot of patronizing speeches and lectures from our good friends in the U.S. Senate and the press who wondered what we knew about military matters.

It was never said on the floor of the Senate, that I know of—not once by the proponents of this war—that, as a result of our ground commitment in Vietnam, 3 years hence we would have over a half million men in Vietnam. That was never said by any of those who supported escalation.

Those of us who opposed this policy of committing ground troops were ridiculed for our lack of understanding of the situation.

I remember standing here and having one of our distinguished colleagues say, "And what do you know about military policy that makes you so much wiser than our military experts that you can say this will be a big war?"

The fact of the matter is that the instinct of those of us who oppose this policy was far better than the military expertise of those who told us we ought to get involved there.

The Senator from Minnesota [Mr. McCARTHY] and I criticized the escalation in comments on the floor of the Senate in October of 1965. At that time we had only some 80,000 troops there. We were then invited to confer with Gen. Maxwell Taylor about Vietnam. General Taylor is a very distinguished gentleman and a highly regarded military expert.

In the course of that conversation—and I just point out this story to indicate the lack of understanding on the part of the military experts on the nature and character of the revolution in Vietnam—I said to Mr. Taylor:

Yes, but they are infiltrating at the rate of 1,500 troops a month right now, and under the Malaysian theory of ten-to-one, that requires us to match them with 15,000 troops per month—our own troops.

I finished with this question:

I suppose that we are more militarily sophisticated than the British were at the time of Malaysia, with better transportation, helicopters, and all the rest, so that maybe it would only take five-to-one. Is that correct?

General Taylor said:

Yes, the mathematics is correct. But you are wrong on your assumption that it would take 7,500 to match 1,500, because they are over-extended in the South now and logistically they cannot support the troops they have there at present.

And within 7, 8, or 9 months they were sending 7,000 a month into South Vietnam and supporting them very well.

The point I make is that the military made a colossal misjudgment; and this country and most of the editorial writers and most of the Senate and most of the House believed the military when they said it would take 75,000 troops, or something like that, to bring Ho Chi Minh to the bargaining table. I did not believe it, Senator McGOVERN and Senator McCARTHY did not believe it, the Senator from Arkansas did not believe it, and a handful of other Senators did not believe it. We happen to have been correct on that matter.

I regret very much to have to dig up this history, but it is relevant, because we are now at the 500,000-troop stage.

I delivered a speech in February of 1966 in which I said that even if we send in a million men and suppress the military insurgency, when we leave that country in devastation, the Communists will take it over, and I think there is little doubt about that. It is not going to take 600,000 troops or 700,000 troops to win a military victory there. We will have a tough time doing it if we send 2 million American boys there. That is how tough that revolutionary war is. Ho Chi Minh has 450,000 uncommitted troops in the North. When we send in 100,000, they can send 20,000 more down south and, in a guerrilla war, tie down 100,000 of our troops.

The question is, Do you want to go up to 1.5 million or 2 million men? That is the question. Or do you want to do everything possible to negotiate, deescalate, get some international supervision in there, and cool this situation down? The choice is that. When you have finished putting in 1.5 million or 2 million men, you may militarily suppress the guerrillas. You will not wipe them out. They do not have to fight when they do not want to fight. You suppress the insurgency and you sit there with 2 million men. And when you leave, they are back again.

So to what avail are we pouring in troops and troops and killing and killing in that country, in a place where you cannot have a conventional military victory? I believe it is a tragic situation; and I say that we are worse off now, with 500,000 troops there, than when we did not have any troops on the ground there at all. And we would be worse off with 700,000 or 1 million troops there than we are now.

I should like to make a comment with respect to the Gulf of Tonkin resolution. I do not know what testimony was given before the Senator's committee—only what I read in the newspapers. Some day I shall read that testimony. However, I do not base my objection to the interpretation of the Gulf of Tonkin resolution on the ground that we were misled by the attacks there. I object to the interpretation put upon the Gulf of Tonkin resolution, that it was a vote by the Senate, with only two dissenting votes, to authorize an open-ended expansion of this war, because that is not true.

If the Senator from Arkansas had stood on the floor of the Senate, in the middle of that debate in 1964—August 6, 7, and 8—and had said that the resolution authorizes a ground commitment of an unlimited number of troops and changes our mission in South Vietnam, he would have been defeated on that resolution in the Senate. He would have been defeated by 80 percent of the votes in the Senate.

Let me read something about what that resolution said.

Mr. LAUSCHE. Mr. President, a parliamentary inquiry.

Mr. FULBRIGHT. The Senator does not yield for that purpose.

Mr. LAUSCHE. Is this a question to the Senator from Arkansas, or is it a speech that is beyond the rules?

The PRESIDING OFFICER. The point is well taken. The Senator from Arkansas has the floor and can yield for a question.

Mr. TOWER. Regular order, Mr. President.

Mr. FULBRIGHT. We are under limited time. Each Senator has 1 hour.

Mr. NELSON. I am not surprised that the Senator does not want to hear this.

The PRESIDING OFFICER. The regular order has been asked for. The Senator from Arkansas can yield only for a question.

Mr. NELSON. My question is, Why does the Senator from Arkansas suppose that the other Senators do not want to hear this colloquy?

Mr. FULBRIGHT. They object to the substance of it.

I will say, on my own time—and I can yield to the Senator for a question—that the Senator from Wisconsin spoke a moment ago about intuition; and I am bound to say that I believe that is the proper word. He did have the intuition at the time the resolution was brought to the Senate to question it, and I believe he presented the most penetrating questions of any Member of this body.

I can only say that I responded then to those questions in accordance with what I had been told by the administration. I knew nothing firsthand about what had occurred in the Gulf of Tonkin 2 nights before.

I believe the Senator is speaking of a debate on August 7, 1964. Of course, I was relying upon the truthfulness of the Secretary of State, the Secretary of Defense, and the Chairman of the Joint Chiefs. At that time I was not very experienced in dealing with these gentlemen, and I believed everything they told us—not only with respect to the facts but also as to their interpretation of their policy.

I also believed the President of the United States when he said that his purpose was not to fight a war in Asia with American boys. I have his exact statement in my notes.

The Senator from Wisconsin raised questions about whether the resolution went too far, and, in my innocence, I assured him that the last thing the administration intended was a land war on the mainland of Asia. I believe the Senator will find that in the 1964 RECORD, in so many words. I said I was assured that this was not the purpose of the resolution; that its sole purpose, the main purpose, of the resolution was to prevent a war, to prevent any expansion of hostilities.

In fact, I was persuaded that the purpose of the resolution was to show the unity of this body, and that this would deter the North Vietnamese from any further attacks. That was the entire theory. I repeated it on the floor of the Senate. The RECORD will show it.

I talked the Senator from Wisconsin out of an amendment which he wanted to offer. I did not object to it on its merits, but because I had been persuaded by the administration that any delay, even to accept an amendment in consonance with the meaning of the resolution, would destroy its effect and would mean unnecessary delay.

I am glad the Senator has brought the subject up. He deserves great credit for his intuition, and I hope his intuition is even now as healthy and as reliable as it was then.

Mr. NELSON. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield for a question.

Mr. NELSON. The point I am trying to make clear is that the distinguished chairman of the Committee on Foreign Relations was speaking for the administration on the Gulf of Tonkin resolution. Is that not correct?

Mr. FULBRIGHT. I was; that is correct. I was their spokesman. They coached me as to what had happened.

Mr. NELSON. And as to what the intent of the resolution was?

Mr. FULBRIGHT. And what the intent was.

Mr. NELSON. When I offered the amendment because I thought it might be subject to misinterpretation, and to tighten it up so that it did not authorize an expansion of our 10-year mission of technical aid and assistance, the Senator from Arkansas assured me, did he not, that it was his interpretation of the resolution that it did not expand the authorization?

Mr. FULBRIGHT. I was assured that that was the administration's intention. I did not propose that resolution, I did not write it, and I was not its sponsor, as I have been accused of being in some quarters. I was simply bringing it as the chairman of the committee.

Mr. NELSON. Mr. President, will the Senator yield for a further question?

Mr. FULBRIGHT. I yield.

Mr. NELSON. I should like to read to the Senator a portion of my remarks and a portion of his.

After addressing myself to the chairman of the Committee on Foreign Relations at that time, I pointed out that our mission in South Vietnam had been one of technical aid and assistance for 10 years. Then I said:

But I am concerned about the Congress appearing to tell the executive branch and the public that we would endorse a complete change in our mission. That would concern me.

Mr. FULBRIGHT, responding, on August 7, 1964, said:

I do not interpret the joint resolution in that way at all. It strikes me, as I understand it, that the joint resolution is quite consistent with our existing mission and our understanding of what we have been doing in South Vietnam for the last 10 years.

Is it not correct that what we have been doing was simply giving technical aid, assistance, and cadre training?

Mr. FULBRIGHT. Yes; and we had only advisers there.

Mr. NELSON. Mr. President, I ask unanimous consent to have printed in the RECORD a statement I made in connection with the Tonkin Gulf resolution on September 18, 1967.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR NELSON ON VIETNAM

In recent weeks there have been renewed and vigorous discussions about the meaning and intent of the Tonkin Bay Resolution. It has lately been repeatedly asserted by Administration spokesmen, writers and others that the overwhelming vote for the resolution in 1964 expressed Congressional approval of whatever future military action the Administration deemed necessary to thwart aggression in Vietnam including a total change

in the character of our mission there from one of technical aid and assistance to a full scale ground war with our troops.

This, of course, is pure nonsense. If such a proposition had been put to the Senate in August, 1964, a substantial number of Senators, if not a majority, would have opposed the resolution. What we are now witnessing is a frantic attempt by the Hawks to spread the blame and responsibility for Vietnam on a broader base. They should not be allowed to get away with it. It is not accurate history and it is not healthy for the political system. The future welfare of our country depends upon an understanding of how and why we got involved in a war that does not serve our national self interest. If we don't understand the mistakes that got us into this one we won't be able to avoid blundering into the next.

The intent and meaning of any proposition before the Congress is determined by the plain language of the act itself, the interpretation of that language by the official spokesman for the measure and the context of the times in which it is considered.

Because of my concern about the broad implications of some of the language I offered a clarifying amendment. The official Administration spokesman for the resolution, Mr. Fulbright, said the amendment was unnecessary because the intent of the resolution was really the same as my more specific amendment. In short, according to Mr. Fulbright, the resolution did not intend to authorize a fundamental change in our role in Vietnam.

Three Presidents had made it clear what that limited role was, and this resolution did not aim or claim to change it.

If the official Administration spokesman for a measure on the floor is to be subsequently repudiated at the convenience of the Administration, why bother about such matters as "legislative intent?" In fact, why bother about Administration spokesmen at all? At the conclusion of these remarks I will reprint from the Congressional Record my colloquy with Mr. Fulbright which formed the basis for my vote on the Tonkin Bay Resolution. Had he told me that the resolution meant what the Administration now claims it means I would have opposed it and so would have Mr. Fulbright.

However, an even more important factor in determining the intent of that resolution is the political context of the times when it was considered by the Congress. It was before the Senate for consideration on August 6 and 7, 1964. We were in the middle of a Presidential campaign. Goldwater was under heavy attack for his advocacy of escalation. The Administration clearly and repeatedly insisted during that period that we should not fight a ground war with our troops. No one in the Administration was suggesting any change in our very limited participation in the Vietnam affair.

The whole mood of the country was against Goldwater and escalation and particularly against the idea that "American boys" should fight a war that "Asian boys" should fight for themselves, as the President put it in September of that year.

For the Administration now to say that the Tonkin Resolution considered during this period had as part of its purpose the intent to secure Congressional approval for fundamentally altering our role in Vietnam to our present ground war commitment is political nonsense if not in fact pure hypocrisy.

If Mr. Fulbright, speaking for the Administration, had in fact asserted that this was one of the objectives of the resolution the Administration would have repudiated him out of hand. They would have told him and the Congress this resolution had nothing to do with the idea of changing our long estab-

lished role in Vietnam. They would have told Congress as they were then telling the country that we oppose Goldwater's irresponsible proposals for bombing the North and we oppose getting involved in a land war there with our troops. That was the Administration position when the Tonkin Resolution was before us. They can't change it now. It is rather ironic now to see how many otherwise responsible and thoughtful people have been "taken in" by the line that Congress did in fact by its Tonkin vote authorize this whole vast involvement in Vietnam. The fact is neither Congress nor the Administration thought that was the meaning of Tonkin—and both would have denied it if the issue had been raised.

The current intensity of the discussion over the military status of Vietnam, the Tonkin Resolution and the elections signal a new phase of the war dialogue. What's really new in the dialogue now is the sudden, almost universal recognition by a majority of the Hawks that this is after all a much bigger war than they had bargained for.

They now realize for the first time that to win a conventional military victory will require a much more massive commitment of men and material than they ever dreamed would be necessary. How many men? A million at least and perhaps two million without any assurance that a clear cut military victory would result in any event. Furthermore, it has finally dawned on the Hawks that a military victory does not assure a political victory—in fact there is no connection between the two and one without the other is of no value whatsoever.

This new recognition of the tough realities of Vietnam afford the opportunity for a reappraisal of our situation in Vietnam and a redirection of our efforts.

The danger we now face is the mounting pressure from military and political sources for a substantial escalation of the bombing attack in the North. The fact is the whole military-political power establishment (both Republican and Democratic) has been caught in a colossal miscalculation. They have been caught and exposed in the very brief period of 24 months since we foolishly undertook a land war commitment.

They did not then nor do they now understand the nature, character and vigor of the political revolution in Vietnam. But in order to save face they are now demanding an expansion of the war. If they prevail we will then see another fruitless expansion which will not bring the war to a conclusion but will extend our risk of a confrontation with China.

Unfortunately the Administration continues its policy of so called controlled expansion of pressure on the North which really is nothing more nor less than endless escalation which will likely lead to a vast expansion of the war. It ought to be understood once and for all that no amount of pressure on the North will settle the war in the South. A complete incineration of the North will not end the capacity of the guerrilla to continue to fight in the South.

Though we committed a grave blunder in putting ground troops into Vietnam in the first place, it does not make sense to compound the blunder by pouring in additional troops. The Administration proposal for 45,000 additional troops with tens of thousands more demanded by the military is simply a blind and foolish move in the wrong direction.

What the military really needs is a million or two million ground troops for the war they want to fight. Furthermore, no one can explain what possible proportional benefit this country or the free world will get for this kind of massive allocation of resources—even assuming this would win the military-political war which I think is highly doubtful.

There is no easy solution to our involve-

ment, but now, before it is too late, is the time to decide what direction from here we are going to go in Vietnam.

There is, it seems to me, only one sensible direction to go and that is toward de-escalation and negotiations.

It was a mistake for us to Americanize this war in the first place, and it is an even greater mistake to continue it as an American war. As soon as the elections are over this Sunday we should cease bombing the North in order to afford the opportunity to explore the possibility of negotiations. It is rather ironic that Chief of State Thieu, the military candidate for President, favors a bombing pause but our military oppose it. Whose war is this?

Next we should fundamentally alter our military and political policies in the South. We should notify the South that henceforth it will be the job of South Vietnamese to do the chore of political and military pacification of the South. While our troops occupy the population centers, furnish the supplies, transportation and air cover, it must be the job of the Vietnamese to win the political and military war in the South. If they do not have the morale, the interest, the determination to win under these circumstances then their cause can't be won at all.

Surely it ought to be understood by now that if there is going to be a meaningful solution to the Vietnam problem they must be the ones who make it meaningful.

Furthermore, if it is true, as our State Department says, that all other South East Asian countries feel they have a stake in Vietnam, let them send some troops of their own to prove their interest.

Under this approach we will reduce the loss of our troops to a minimum and we will find out whether our allies in the South really believe they have something to fight for. If they do, they have the chance to build their own country. If they don't, then we should get out.

This seems to me is our best alternative to the fruitless policy of endless escalation.

Mr. FULBRIGHT. Mr. President, I wish to make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FULBRIGHT. Mr. President, it is my understanding that since time cannot be transferred, whenever I yield the time is taken out of the other Senator's time. I notice from the Parliamentarian that he seems to indicate that is not so. What is the situation with regard to the allocation of time?

The PRESIDING OFFICER (Mr. KENNEDY of Massachusetts in the chair). The time cannot be transferred or yielded. However, if a question is addressed to the Senator holding the floor, unless he indicates that he is yielding on the other person's time, that time will be charged against the Senator who has the floor.

Mr. FULBRIGHT. I did yield on the other person's time. If I neglected to do so I am not aware of it. I thought that had been the custom, but I have noticed during the past several days that has not always been the practice.

Mr. SCOTT. Mr. President, a point of order.

The PRESIDING OFFICER. Does the Senator yield the floor for a point of order?

Mr. FULBRIGHT. No. I wish to yield to the Senator from Alaska on his time.

Mr. SCOTT. Mr. President, if the Senator will yield I wish to make a point of order on his contention.

Mr. FULBRIGHT. I yield.

Mr. SCOTT. Mr. President, I make the point of order that it is this Senator's recollection that the Senator from Arkansas addressed at one point a request to the Chair if he yielded to anyone it would be taken from the time of the Senator who asked him to yield. The occupant of the chair nodded his head and indicated that that was so. It would not be fair now to take the time from the time of the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, that is what I understood. Now, the clerk indicates that is not so. I am going through the formality.

The PRESIDING OFFICER. There is only the question of the last 4 minutes that is involved.

Mr. FULBRIGHT. How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 39 minutes remaining.

Mr. GRUENING. Mr. President, will the Senator yield to me on my time?

Mr. FULBRIGHT. I yield to the Senator from Alaska on his time.

Mr. STENNIS. Mr. President—

The PRESIDING OFFICER. The Senator will be in order.

Mr. STENNIS. Mr. President, will the Senator yield to me for a question with respect to the parliamentary situation?

Mr. FULBRIGHT. On the Senator's time, I yield.

Mr. STENNIS. Yes, in all fairness it is on my time.

I am not trying to stop the proceedings but I wish to inquire whether we are operating under the cloture rule; and is it not the rule of the Senate that a Senator can only yield for a question, and if it gets beyond that point anyone can call for the regular order and that stops the question. Is that not the rule?

Mr. FULBRIGHT. It is ordinarily the rule but it is not the practice being followed in debate on the floor. I have observed that for several days.

Mr. STENNIS. My only point is that the Senator is holding the floor and he yields to whomever he pleases. Apparently unless they agree with his sentiments he refuses to yield.

Mr. FULBRIGHT. The Senator is quite incorrect. I said to the Senator from Ohio a long time ago that I would yield to him on his time but he refused to use his time. That was the only point.

Mr. LAUSCHE. Mr. President, will the Senator yield for a parliamentary question?

Mr. FULBRIGHT. No, but I yield on the Senator's time, as I yielded to the Senator from Mississippi.

Mr. STENNIS. Mr. President, will the Senator yield to me to make a point of order?

Mr. FULBRIGHT. I yielded to the Senator from Texas on his time. I am not discriminating.

Mr. STENNIS. Mr. President, will the Senator yield to me to make a point of order?

Mr. FULBRIGHT. I yield to the Senator on his time.

Mr. STENNIS. I make the point of order that regardless of who is charged with time, the rules of the Senate still apply and the Senator can yield only for a question.

When a point of order is raised on this question, it is the duty of the Chair to rule on it; and if it is not abided by, then it is the duty of the Chair to ask the Senator and under the rule the Senator loses the floor.

That is the only rule I have ever heard applied here over the years. I respectfully raise that point of order.

Mr. FULBRIGHT. May I be heard on the point of order?

The PRESIDING OFFICER. The Senator is quite correct.

When a Senator calls for the regular order, as was done by the Senator from Texas, the rule was applied.

Mr. LAUSCHE. Mr. President, will the Senator yield to me for a question?

Mr. FULBRIGHT. After I have finished this.

The PRESIDING OFFICER. The Chair is advised that under the practices of the Senate he does not take the initiative to call Senators to order on that basis. When the request is made of the Chair by a Member of the Senate it will be entertained, but the Chair does not, of its own initiative, call Members of this body to order.

Mr. STENNIS. Mr. President, if the Senator will yield to me, and with great respect to the Senator from Arkansas, I raise the question again that he cannot yield except for a question, and ask the Chair to enforce the rule.

Mr. FULBRIGHT. The Senator is quite at liberty to raise it each time. The only effect of the objection of the Senator from Mississippi is to force artificial phrasing of each assertion. Any assertion can be put in the form of a question. I know the practice that has been followed in the last 3 days of debate, since we are all under a time limitation of 1 hour, that the yielding has been not in the form of questions and nobody has raised a question.

If the Senator from Mississippi wishes to do so, he is at liberty to ask for the regular order. I want to make clear that there is not the slightest hesitation on my part to yield to any Senator who is a member of the Committee on Armed Services, and he can take all the time he has left, if he wishes.

The purpose of my speaking today was to encourage such important and influential Members of this body as the Senator from Mississippi to give us the benefit of his knowledge and views on this subject. That was the purpose. It need not necessarily be done today. That is not expected. But in due time, assuming the Senate has sufficient interest in the war in Vietnam, I hope they would like to debate it. Certainly I would like to have debate on our next step, and I believe that the Committee on Foreign Relations would like to have debate on it. That is my only purpose.

I hope the Senator from Mississippi will be willing to join in debate on the real principles and justification for the war in Vietnam.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I will yield to him on his time. I offered to do that a moment ago.

Mr. LAUSCHE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. If the regular order is called for, and it has been called for—

Mr. FULBRIGHT. Mr. President, I will—

The PRESIDING OFFICER. The Chair has to do the recognizing.

Mr. FULBRIGHT. Mr. President—

The PRESIDING OFFICER. Senators may not yield time.

Mr. FULBRIGHT. This has been very informal. I ask unanimous consent to be able to yield to the Senator from Ohio without losing my right to the floor, on his time.

Mr. GORE. Mr. President, reserving the right to object, if the rule is to be strictly enforced, the Senator from Arkansas—

The PRESIDING OFFICER. This is to advise the Senator that this is on his time now.

Mr. GORE. I have 60 minutes.

Reserving the right to object, if the rules are to be strictly enforced, as the distinguished Senator from Mississippi insists upon, then the junior Senator from Arkansas lost the floor when he yielded to the Senator from Mississippi for a point of order. That can be done only by unanimous consent if the rule is rigidly and strictly enforced.

I hope we will not be reduced to this kind of debate in the Senate.

Mr. LAUSCHE. Mr. President, a parliamentary inquiry.

Mr. FULBRIGHT. Mr. President, I understood I asked unanimous consent for my request.

Mr. LAUSCHE. Mr. President, a parliamentary inquiry.

Mr. FULBRIGHT. Mr. President, I made a unanimous-consent request to yield without losing my right to the floor, or any other rights to a Senator during this debate, to the Senator from Ohio in order that he might propound whatever he wishes to propound on his time.

The PRESIDING OFFICER. Is there objection?

Mr. STENNIS. Mr. President, there is a point involved here.

The PRESIDING OFFICER. The Senate will be in order. If we are going to abide by the rules of the Senate, I think we should let one Senator get the floor.

Mr. LAUSCHE. Mr. President—

Mr. STENNIS. Mr. President, reserving the right to object—

The PRESIDING OFFICER. Under the cloture rule, each Senator has 1 hour, and the time is charged to the Senator recognized even for a reservation.

Mr. LAUSCHE. Mr. President, the time of the Senator from Arkansas is now running.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arkansas?

Mr. COTTON. Mr. President, reserving the right to object—

The PRESIDING OFFICER. Who is yielding time?

Mr. FULBRIGHT. Mr. President, not I. I yield no time but—

Mr. COTTON. Mr. President—

The PRESIDING OFFICER. Who yields to the Senator from New Hampshire?

Mr. COTTON. Mr. President, reserving the right to object—on my own time—

The PRESIDING OFFICER. On the Senator's own time? The Senator from New Hampshire is recognized.

Mr. COTTON. Mr. President, I did not attempt to participate in this exchange. As a matter of fact, I have great sympathy with the point raised by the distinguished Senator from Arkansas. I think that he is entitled to much credit for raising it and, at the proper time, I should like to say something about it, which would certainly be most favorable and complimentary to him.

But, Mr. President, the point is, the Senate adopted cloture. Therefore, each Senator has 1 hour in which to speak.

Under the rules, I think that we are entitled to have a ruling. Never mind the matter of the interruption being in the form of a question or a statement. If each one of the 100 Senators has 1 hour in which to speak, is it not a fact that the Chair and the Chair alone recognizes Senators to use their time and that a Senator who gets the floor after cloture has been invoked, and proceeds to say "I yield to so and so on his time," or "I yield to Senator so and so on his time," or "I yield on someone else's time," is holding the floor illegally against the rules of the Senate because cloture has been invoked?

Mr. STENNIS. Mr. President, reserving the right to object—

The PRESIDING OFFICER. With the indulgence of Senators, the Chair will consult the Parliamentarian for a moment.

Mr. GORE. On his own time, I hope. [Laughter.]

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire has propounded an inquiry for the Chair as to the use of time under cloture. Each Senator has 1 hour. He may not yield that time to anyone else. He may yield for a question. If, having the floor, he wants to yield to a Senator, on that Senator's own time, and there is no opposition, or no Senator calls for the regular order, then the Chair will tolerate that procedure, as long as that time is charged to the Senator to whom yielded, for a comment or inquiry. If the regular order is called for, the Senator who has been recognized can yield only for a question, except by unanimous consent.

Mr. COTTON. Mr. President, my question is being acted on and ruled on by the Chair, on my time. May I make this further inquiry?

The PRESIDING OFFICER. The Senator from New Hampshire may do so.

Mr. COTTON. In other words, if a Senator gets the floor, he can proceed to take the place of the Chair and designate what Senators shall be allowed to speak on their time without having the time running against him?

The PRESIDING OFFICER. If no one makes a point of order or calls the Senate to order, there is no reason why the Chair should object.

Mr. FULBRIGHT. Mr. President, I made a unanimous request to yield to the

Senator from Ohio on his own time. Will the Chair please rule?

The PRESIDING OFFICER. Is there objection to the unanimous request of the Senator from Arkansas?

Mr. LAUSCHE. What is the request?

Mr. STENNIS. Mr. President, I reserve my right to make a statement—

The PRESIDING OFFICER. Does the Senator yield for that purpose?

Mr. FULBRIGHT. Mr. President, I yield for that purpose.

Mr. LAUSCHE. Mr. President, a point of order. He does not have the right to yield.

The PRESIDING OFFICER. The Senator from Ohio is out of order. Is there objection to the request of the Senator from Arkansas?

Mr. LAUSCHE. He yielded time to the Senator from Mississippi and I raise the point of order—

Mr. FULBRIGHT. The Senator from Mississippi wishes to clarify his previous statement.

The PRESIDING OFFICER. The Senator from Arkansas has made a unanimous-consent request that he be permitted to yield on the Senator's time.

Mr. LAUSCHE. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. ALLOTT. Mr. President—

Mr. GORE. Regular order, Mr. President.

Mr. ALLOTT. Mr. President, I object. [Laughter.]

Mr. FULBRIGHT. Mr. President, may we have order in the Senate?

The PRESIDING OFFICER. The Senate will be in order. The Senate is not in order. The Senate will be in order. The Senator from Arkansas [Mr. FULBRIGHT] has the floor and can yield only for a question.

Mr. FULBRIGHT. Mr. President, the matter we are discussing here is a most important one. This diversion of levity is not promoting what I wanted to say. I did not wish to occupy the floor all afternoon. I wanted to give opportunities to Senators for short expressions of their views on the most serious, dangerous, and ominous matter which has faced this country in the past 100 years.

The Senator from Mississippi has just stated that in asking unanimous consent to yield to the Senator from Ohio I was following the rules and he is quite satisfied with that. I was asking unanimous consent in order to yield to the Senator from Ohio. The Senator from Ohio objects. Thus, I do not know how to deal with that kind of situation.

I wish to proceed with discussion of this matter which we were discussing—consideration of the rumor, and I think the generally admitted prospects of a substantial enlargement of the war in Vietnam, one way or another, in manpower, and in expansion geographically.

Mr. MONRONEY. Mr. President, will the Senator from Arkansas yield for a question?

Mr. FULBRIGHT. I should like the opportunity to yield and ask unanimous consent to yield to those who are interested in speaking on this matter. I have only a few notes, and I can conclude my

remarks in a few minutes, but to those who wish to speak relevant to this question, I ask unanimous consent to yield without losing my right to the floor—

Mr. ALLOTT. Mr. President, I object. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MONRONEY. Mr. President, a parliamentary inquiry.

Mr. FULBRIGHT. Mr. President, may I yield for a parliamentary inquiry without losing my right to the floor, with the understanding that I do not lose my right to the floor because I have a few more remarks I wish to make on this subject. Let me say that during the past few days, on debate on this matter, there has been very general yielding without unanimous consent. If this opposition is simply evidence of the unwillingness of Senators to discuss the Vietnam war, that is very significant of itself.

Why people have raised these arbitrary objections to this particular aspect of the debate, I suppose each will have to answer for himself. I do not see anything out of order or unusual about proposing to the Senate that it be concerned with the most dangerous issue before the country, and, as a matter of fact, before the world, today.

Now, Mr. President—

Mr. MONRONEY. Mr. President—

The PRESIDING OFFICER. The Chair rules that the Senator from Arkansas can yield, without asking unanimous consent, for a question.

Mr. FULBRIGHT. On his time?

The PRESIDING OFFICER. On the time of the Senator from Arkansas.

Mr. MONRONEY. Mr. President—

Mr. FULBRIGHT. Not on my time.

The PRESIDING OFFICER. A Senator can yield any of his time out.

Mr. MONRONEY. Mr. President, on my time.

The PRESIDING OFFICER. A Senator cannot ask unanimous consent to do that.

Mr. MONRONEY. Mr. President, I ask unanimous consent for 30 seconds.

Mr. FULBRIGHT. Mr. President, I yield, on my time, for 30 seconds, for a question.

Mr. MONRONEY. The Senator has been talking about this for an hour and a half, and I think the Senate is entitled to know the source of the rumor.

Mr. FULBRIGHT. The rumor about the troops?

Mr. MONRONEY. The rumor. The Senator is talking about our having to send 100,000 or 200,000.

Mr. FULBRIGHT. I did not say it was exactly 200,000.

Mr. MONRONEY. I am asking for the source of the rumor.

Mr. FULBRIGHT. Well, I am the source of the rumor. [Laughter.]

As one Member of the Senate, I do not believe the Senator from Oklahoma is unaware of the fact that people do talk to Members of the Senate about such matters and there are a great many people in this Government who are concerned about this country's security. It is no secret that General Wheeler, who the Senator knows is the Chairman of the Joint Chiefs of Staff, the most influential person, I suppose, in the Gov-

ernment, outside of the President, has recently been to Vietnam and has recently returned, conveying the request of General Westmoreland. The Senator knows who General Westmoreland is. The Senator is, I think, aware of what happened in Vietnam last month. There were certain attacks and great victories that we achieved in Saigon and various cities like Hue. At least, that is the way the Senator from Texas interprets them—something of that sort.

I cannot guarantee the Senator that they are going to ask for 200,000, 201,000, 206,000, or 250,000. I do know, I think on the best authority, that consideration is today being given to the request brought back from General Westmoreland and his people by the Chairman of the Joint Chiefs of Staff for more men.

If the Senator thinks this is a secret or only a rumor and there is no substance to it, I do not think he has read the papers or talked to anybody in the higher echelons of Government in recent days.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I do not yield, except on the Senator's own time, or for a question, but they will not allow me to do it.

Mr. MONRONEY. I am still waiting for an answer to the question as to what is the source of the rumor. The Senator has been generalizing. I wish he would answer the question. He has taken one and a half hours to tell us about this—

Mr. FULBRIGHT. If the Senator does not wish to listen to my remarks, he does not have to. There is no rule compelling him to listen.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. FULBRIGHT. The Senator must speak on his own time.

Mr. GRUENING. Mr. President, I have not used my 1 hour. Can I not say what I have to say?

The PRESIDING OFFICER. Not until the Senator is recognized.

Mr. FULBRIGHT. I do not know why there is such an antagonistic attitude toward discussion of this subject. It strikes me as most unusual for Members of the Senate to be unwilling to have the Senate itself, which, under the Constitution, does have a specific responsibility for war, discuss a matter of this kind.

I thought the discussion, up to the intervention by the Senator from Mississippi, was proceeding in a most orderly manner. I did not think anyone was out of order. But there are more ways than one to disrupt a discussion, of course. I think those who are interested in the other matter should be prepared also to follow the same rules, and they have not been followed in the course of the debate in the last 3 days, to my own knowledge, not by rumor. I was here and I watched them yield under the same circumstances that I was willing to yield to other Members of the Senate. So evidently it is a subject matter offensive to some Members, rather than the procedure being offensive. If that is not so, I do not know why it is not discussed in the usual manner.

I regret I am unable to yield to the Senator from Alaska. I have a few more remarks, and then I shall yield the floor,

and the Senator from Alaska, or anyone else, can then take the floor.

Mr. GRUENING. I will get the floor in my own right.

Mr. FULBRIGHT. Mr. President, there are a few more remarks I wish to make to emphasize the role of the Senate—the role of the Congress, I should say. It is the Senate, of course, that we are particularly interested in.

There is considerable confusion about this war. The President has said—Mr. President, may we have order? I think Senators who are not interested in this subject can at least be quiet until I finish my remarks.

The PRESIDING OFFICER. Order in the Senate.

Mr. FULBRIGHT. Mr. President, the President said in his press conference of August 18, 1967, that he had full authority to go to war in Vietnam even without the Tonkin resolution; and Mr. Katzenbach, Under Secretary of State, told the Foreign Relations Committee last summer that declarations of war are "outmoded in the international arena." That is a quotation from his testimony before the committee.

The Constitution, on the other hand, did not vest the war power in the Executive; nor, indeed, did it divide the war power between Congress and the Executive. Rather, it vested the war power exclusively in Congress.

It was with these considerations in mind that the Foreign Relations Committee unanimously reported Senate Resolution 187, calling on the Executive hereafter not to initiate foreign wars without the consent of Congress.

So this is a matter that is central to this whole debate.

There is a subject here that, I think, bears very much on the point made by the Senator from Texas. On March 6, 1968, there appeared one of the most penetrating articles I have read on the subject—although I have read other similar articles—by Mr. Stanley Karnow, who is one of the leading correspondents of the Washington Post Foreign Service. As I said in the beginning, the Washington Post has had some second thoughts on this war. They have supported the war, I think, as firmly as any newspaper in the country, until recently. Mr. Karnow was in Hong Kong. I shall not read all the article at this time, but I ask unanimous consent that the entire article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MAOISTS HOPE FOR A LONG VIET WAR

(By Stanley Karnow)

HONG KONG—In Peking a few years ago, Mao Tse-tung received a Japanese guest who, in a penitent mood, apologized for Japan's invasion of China in the 1930s. To the guest's surprise, Mao waved away the apology. "By occupying half of China," Mao explained, "Japan incited the Chinese population to rise and fight aggression. Thus our army gained a million more men, and our movement gained a hundred million more followers."

"So instead of your apologizing to me, perhaps I should thank you."

That anecdote, recounted by Mao himself to European visitors recently was

obliquely designed to underline the aged Communist leader's conviction that the American presence in Vietnam, like Japan's thrust into China, will eventually strengthen the Communists while eroding United States prestige in Asia and the world.

SEE PROFIT IN WAR

As it is now going, moreover, Mao and his associates in Peking appear to view the Vietnam war as a chance for China to score significant political profit from only minimal risks.

While Washington often asserts that its Vietnam stand is blocking Chinese expansion, several analysts here submit that U.S. policy may be inadvertently accommodating Peking. Or, as one American observer here put it: "We seem to be playing the script the way Mao wrote it."

Just as China's vast human sea drowned the Japanese, Vietnam and Mao's estimation is a swamp that will increasingly bog down the United States, sapping its resources, discrediting its power pretensions, alienating its allies, fraying its ties with the Soviet Union, and aggravating dissension among Americans at home.

FOR PROLONGED FIGHTING

And just as he considers revolutionary war an "antitoxin" that "purges us of our own filth," Mao also sees a prolonged U.S. drive in Vietnam prompting growing numbers of Vietnamese to turn to the Communists, as China did in the lengthy conflict against Japan.

Mao believes, therefore, that the longer the war, the more likely a U.S. defeat. In his view as well, a long war would communize all Vietnamese but leave them too exhausted to resist Peking's domination despite their centuries-old anathema to Chinese hegemony.

Though Hanoi and the Vietcong are struggling for their own national aims, Mao evidently regards them as a surrogate force through which China is fighting the United States without confronting American muscle directly.

His strategy, consequently, is to avoid a clash with the United States, while exhorting Vietnamese Communists to continue waging a protracted "peoples war" regardless of cost.

Mao's willingness to fight to the last Vietnamese was reflected in December in his personal message to Nguyen Huu Tho, urging the Vietcong leader not to be daunted by "all kinds of difficulties." The message exclaimed: "Perseverance means victory."

At the same time, Mao's prudence was mirrored in another message from his adjutant, Lin Piao, to Hanoi's Defense Minister Vo Nguyen Giap, cautiously saying that Peking is "watching" Vietnam and would take action that "corresponds to the highest interests of the Chinese and Vietnamese peoples."

Within recent weeks, Peking has also welcomed the signs of war spreading into Cambodia and Laos, apparently in hopes of seeing the United States challenged by a broader battlefield. A recent Peoples Daily editorial hailed these new trouble spots under the title: "Heartening developments in Indochina."

WHAT PEKING FEARS

The two most acute threats to Peking's brinkmanship are the possibility of peace in Vietnam or, in contrast, a U.S. escalation northward that would propel the Chinese into a head-on collision against the United States.

The Chinese openly oppose a Vietnam settlement. Besides blasting American, Soviet and other peace feelers as "frauds," they have even criticized Hanoi for such maneuvers as appealing to Pope Paul VI, or offering to trade talks for a halt to U.S. bombings.

Most analysts here doubt that Peking would

overtly prevent Hanoi from making peace. On at least two past occasions, however, Mao thwarted tentative steps that could conceivably have led to negotiations.

In early 1965, at the leftist "Indochinese Peoples Conference" in Phnom Penh, Cambodia, Chinese lobbyists persuaded Hanoi's delegates to decline a mediation offer by Prince Norodom Sihanok, the Cambodian Chief of State.

A year later, Japanese Communist Party Secretary General Kenji Miyamoto visited Hanoi and Peking, evidently under Russian auspices, to devise a Sino-Soviet "united action" program, designed mainly to discourage further U.S. commitments to Vietnam.

Miyamoto won the support of Premier Chou En-lai and other Chinese leaders. But Mao rejected the joint program, partly because he suspected Moscow might use it as a lever for negotiations, mostly because he considers "peoples war" the only valid strategy. He bluntly told Miyamoto: "Don't fear war; don't fear isolation."

RED COLLAPSE IN INDONESIA

Mao's impatience with shortcut tactics was especially sharp at that time. Only a few months earlier, on Oct. 1, 1965, the huge Indonesian Communist Party had collapsed as it tried to pull a coup d'etat in Jakarta.

The Indonesian Communist failure served to reinforce Mao's conviction that Hanoi and the Vietcong could succeed only through prolonged "people's war." It also bulwarked Mao's faith in protracted war as China's defense.

As U.S. strength in Vietnam built up in late 1965, Mao reminded the Vietcong that "people's war" signified self-reliance rather than Peking's potential intervention. Since then, his Cultural Revolution has apparently made China's military involvement in Vietnam more improbable.

With its Communist Party decimated, China's army is the sole apparatus available to impose a semblance of order in the cities. Even so, troops are finding it hard to tame the unruly Red Guards and other activists who refuse to abandon their dreams of permanent rebellion.

ARMY NOW A PROBLEM

Moreover, Mao's purges ravaged China's upper military echelons so brutally that the army's dependability for a foreign venture may be questionable.

The senior officers dismissed or disgraced in the past two years include the Chief-of-Staff, Lo Jui-Ching, four of his deputies, seven top political commissars, the artillery and armored corps chiefs, and 13 of the 23 military district commanders.

Experts here believe that only the naked threat of a U.S. attack on China would induce Peking to send a substantial force into Vietnam. From Peking's angle, it is thought, such a threat might be nothing less than the destruction of Hanoi's army in a U.S. invasion of North Vietnam.

Meanwhile, the Chinese are reportedly accelerating their military and economic aid shipments to Hanoi, repairing North Vietnam's railroads, providing sanctuary in South China for North Vietnamese aircraft, and concentrating on improving the same defensive strategy they employed against the Japanese a generation ago.

And while American troops in South Vietnam are battling to preserve the Saigon government, Peking's leaders seem confident amid China's internal turmoil that the Vietnamese Communists are wearing down the United States for their benefit.

Mr. FULBRIGHT, Mr. President, the thesis of this article is that the United States, in its innocence, is playing the Communist game. In other words, we are doing, as I believe the Senator from New York stated, ourselves injury such

as no Communist country could possibly do short of an all-out nuclear war.

I want to read one or two paragraphs from the article. He said:

In Peking a few years ago, Mao Tse-tung received a Japanese guest who, in a penitential mood, apologized for Japan's invasion of China in the 1930s. To the guest's surprise, Mao waved away the apology. "By occupying half of China," Mao explained, Japan incited the Chinese population to rise and fight aggression." Thus our army gained a million more men, and our movement gained a hundred million more followers.

I read further:

While Washington often asserts that its Vietnam stand is blocking Chinese expansion, several analysts here submit that U.S. policy may be inadvertently accommodating Peking. Or, as one American observer here put it: "We seem to be playing the script the way Mao wrote it."

I think there is a great deal of merit in this statement. This is an aspect that is very difficult for Americans even to tolerate or consider, but it is one of the aspects that the Senate ought to consider, I do not know—I have not even heard a rumor—that the State Department has heard of such a theory or such an article. There is no evidence of it.

On August 30, 1966, an editorial in the People's Daily of Peking stated—and I only cite this because it makes much the same point as in the article by Mr. Karnow:

To be quite frank, if United States imperialism kept its forces in Europe and America, the Asian people would have no way of wiping them out. Now, as it is so obliging as to deliver its goods to the customer's door, the Asian people cannot but express welcome. The more forces United States imperialism throws into Asia, the more will it be bogged down there and the deeper will be the grave it digs for itself.

"... The tying down of large numbers of United States troops by the Asian people creates a favorable condition for the further growth of the anti-United States struggle of the people in other parts of the world. With all the people rising to attack it, one hitting at its head and the other at its feet, United States imperialism can be nibbled up bit by bit."

Obviously, I do not subscribe to some of the words and characterizations. I only read these as a warning that we do not necessarily know all there is to know about the capacity and the determination of the Asians. We are just beginning to sense that we have become bogged down, that we have become engaged in an undertaking that is far more expensive in lives and in many other ways than we had ever anticipated.

Before I close, I also ask unanimous consent to insert in the Record an article from the Christian Science Monitor of March 4, 1968, entitled "British Journalist Shifts on Vietnam."

There being no objection, the article was ordered to be printed in the Record, as follows:

BRITISH JOURNALIST SHIFTS ON VIETNAM

WASHINGTON.—One of the warmest journalistic friends of the United States in the British islands has reluctantly concluded that the bad outweighs the good in the Vietnam war and that the United States should pull out even though "suffering the humiliation of withdrawal."

This is Peregrine Worsthorne, writing on the editorial page of the influential middle-class, conservative journal, the *London Sunday Telegraph*, Feb. 25. Up to this time, Mr. Worsthorne says that "I have defended the war most vehemently." It was his hope, he writes, "that the worst of the war should be over before this internal American disaffection—the revulsion of world opinion reached crisis proportions."

With the text somewhat compressed, the gist of Mr. Worsthorne's argument follows: "The case for and against the war was always highly debatable. But in my judgment, until recently, the balance of the argument just tipped in favor of the hawks. . . . It is not easy to go on making that case today. In the light of the Viet Cong's sensational reemergence, how many of South Vietnam's neighbors are still impressed by the value of American protection?"

"Are they not more likely to be drawing the conclusion, after the events of the last three weeks, that the American giant is tragically unable—however willing—to succeed in guerrilla war, except at a price in destruction which makes no possible sense?"

CONCLUSION DRAWN

"Reading the grim reports of how American artillery and aircraft are having to blast South Vietnamese cities—so as to recapture control from the Viet Cong—I cannot help concluding that what is being demonstrated today is not the validity of American protection but its brutal impotence: not the point of resisting Communist subversion but its ghastly futility."

"Instead of the Americans impressing the world with their strength and virtue, they are making themselves hated by some for what they are doing, and despised by the remainder for not doing it more efficaciously. . . ."

"This could all change . . . but I do not believe any longer that there is enough ground to justify what the Americans are being forced to do. . . ."

"It is not easy to exaggerate the harm being done to American public values, and even to the quality of American private life, by what he is being forced to do in Vietnam. It looks less and less certain that this intense, internal moral strain can be sustained without doing irreparable damage to the American body politic. . . . For my part, I no longer find it possible to be certain that fighting on—at such a terrible cost in degradation—will prove a less debilitating experience for the United States than suffering the humiliation of withdrawal."

"It is impossible, of course, to be certain. But when it comes to justifying the war there must be some real confidence that the sacrifice is worthwhile. Once the element of doubt becomes too large the justification sticks in the throat. During the last weeks, it seems to me, the element of doubt has grown to the point where one can go on supporting the United States only by shutting one's mind and closing one's eyes."

REACTION NOTED

"This, of course," is precisely the reaction which the Viet Cong tactics are aimed at producing. Unfortunately, this does not invalidate it. They have fought the Americans into an impossible psychological corner, and there is no more point in denying this than in denying the military danger at Khe Sanh. In both cases one might wish it were otherwise. But wishes will not make it so. The truth today is that the Americans are fighting a war for which no really plausible case can any longer be made. . . ."

"Once one concludes—as it is difficult, on the present evidence, not to do—that the Americans just do not have the skills and talents to fight this kind of war effectively, and that the longer and harder they try the more protracted and devastating their humiliation is bound to be. Then it becomes

the duty of a friend to say 'enough is enough. . . .'

"It is tempting to keep silent, out of loyalty and a desire not to add one tiny drop to America's torrent of tribulation, but surely the key consideration now is how best to minimize the damage to America and the free world, if America is forced to withdraw, and to make the process of reaching a decision to withdraw as relatively untraumatic as humanly possible. . . ."

"It is a miscalculated, although entirely understandable, exercise in American power—which has almost certainly failed in its purpose. No disgrace—indeed much honor—attaches to the United States for having sacrificed so much for so long, and there is no need to exaggerate an admission of failure into an orgy of national shame. . . ."

"The task now for the realist well-wishers is to stop justifying the war and to start calmly and without hysteria living with the fact that America cannot win it. It means for many—certainly for me—eating a large number of words. But at this juncture this seems, on balance, the least harmful thing to do."

Mr. FULBRIGHT. Mr. President, this is simply another example of a man who consistently for the last several years has supported the administration's policy wholeheartedly, but has now seen the danger of it.

I also ask unanimous consent to insert in the *RECORD* a similar article from the *Washington Post* of March 1, 1968, by Flora Lewis, and an article from the *New York Times* of March 1, 1967.

There being no objection, the articles were ordered to be printed in the *RECORD*, as follows:

[From the *Washington Post*, Mar. 1, 1968]
MOOD OF PESSIMISM PREVAILS IN MEKONG
CAPITOL OF CANTHO
(By Flora Lewis)

CANTHO.—A mood of pessimism and bewilderment has spread through South Vietnam, more widely and with more devastation it seems than the Vietcong units themselves. Except for the few men at the top in Saigon, there is no question of whether or not the Tet offensive was a grave setback for the allies. The question is only how grave.

Here in the Mekong Delta capital of Cantho, it is evident that the loss is a good deal worse than it looks from Saigon. The reason Saigon hasn't collected all the bad news begins to show. Things are so disrupted that reports haven't come in. There is a figure for refugees who fled their homes in the provincial capitals of the region since the start of February—140,000 people. There is no figure for the district capitals, the small towns and the villages. The machinery of government isn't even working well enough to keep contact with the smaller places.

Nothing much has been done yet in this city, one of the country's largest, to move people out of the schools and pagodas to which they rushed and to provide temporary housing.

Why not? Because the money hasn't come, I was told. It sounds incredible.

"No, it's a real problem," an official said. "The planes aren't coming regularly, the mails are stopped. The provincial government isn't collecting much taxes because the market hardly functions and that is the main taxing point. The merchants won't give any more credit for materials, they're running out of money themselves. And, anyway, the tin roofing and the cement you'd need aren't available here."

This had been a relatively peaceful area. Until the new offensive, there hadn't been shooting in Cantho since an incident last August. Last night I stood on the roof of a building to watch the war. There are at-

tacks almost every night and every morning the task once again is to assess the new damages, report the newly dead.

Recovery, repair, rehabilitation, "picking up the pieces and going on," as a ranking American in Saigon put it, remains beyond the horizon. It is barely getting started. The people who've been working in the villages and the towns on "pacification" have had to run to the comparative safety of the cities. But there really isn't any place safe any more. The Vietcong are continuing to hit everywhere, not always in strength but enough to keep the country in semiparalysis.

The atmosphere in official places is peculiar. People come to work. The administrative machine appears to be there. But nothing much gets done. It's like an overturned car with the wheels still spinning furiously, but getting nowhere.

Most people are scared and don't mind saying so, more scared even than angry. The only thing that might be called a ground swell of popular opinion is an urgent wish to get it all over with.

The loss you hear most about in Cantho is the new science annex of the university. It has just been built and was the pride of the Delta, two attractive modern buildings. Now they are gutted shells. The Vietcong went in and artillery and aerial bombardment was ordered. It is said that afterwards, when the damage was complete, three bodies were found inside, not the well-armed company that had been reported.

One way or another, Americans here talk about the war with passion and bitterness. Few Vietnamese do. They speak with the dull tones of hopelessness, of tragedy beyond response or, anyway, beyond any response but the dogged effort to stay alive.

In all the confusion, the complexity, and the heartless intrigues people have accepted as the likeliest means of staying alive, one thing seems clear. More troops, more firepower, more fighting can't win anything. There isn't much left to win. There is only more to lose for everybody involved.

[From the *New York Times*, Mar. 1, 1968]
KENNAN ATTACKS VIETNAM POLICY AS MASSIVE, UNPARALLELED ERROR
(By Ronald Sullivan)

NEWARK, February 29.—George F. Kennan bitterly condemned President Johnson's Vietnam policy here tonight, characterizing it as a "massive miscalculation and error of policy, an error for which it is hard to find any parallels in our history."

Mr. Kennan, a historian, former diplomat and expert on foreign affairs, charged that the mounting United States military escalation in South Vietnam has been "so destructive to civilian life that no conceivable political outcome could justify the attendant suffering and destructiveness."

In a speech prepared for delivery before a large crowd of New Jersey supporters of Senator Eugene J. McCarthy of Minnesota, a candidate for the Democratic Presidential nomination, Mr. Kennan said that Mr. Johnson's military policy was "grievously unsound, devoid throughout of a plausible, coherent and realistic object."

Moreover, the former Ambassador to the Soviet Union charged, "the regime in South Vietnam was at the outset, and has remained, too weak, too timid, too selfish, too uninspiring to form a suitable or promising object of our support."

In addition, Mr. Kennan, a professor at the Institute for Advanced Study in Princeton, said that the American military involvement "has clearly become as much of a burden, if not more, for those whom it was supposed to benefit as for those it was supposed to punish."

He declared that despite mounting opposition to further military escalation, the "Administration has pushed stubbornly

ahead with the prosecution of this military effort, steadily increasing the degree of commitment, rendering any peaceful liquidation of the conflict steadily more difficult, burning one bridge after another behind itself and ourselves, cutting one after the other of the possible paths of retreat."

"It is not an exaggeration to say that today, after four years of this dreadfully misconceived effort, we are in situation more serious than any we have known since the first months of 1942, and in some respects more serious than that," he declared.

Mr. Kennan angrily portrayed the President and his advisers "like men in a dream, seemingly insensitive to outside opinion, seemingly unable to arrive at any realistic assessment of the effects of their own acts."

He said the Administration had "acted as though it never heard the suggestion that a country such as ours owned 'a decent respect to the opinions of mankind.'"

In contrast, he hailed Senator McCarthy as a "spokesman for millions of Americans who would like to see this war terminated as rapidly and as peacefully as possible."

For Senator McCarthy, the scheduled appearance here tonight was his first campaign effort in New Jersey. A large group of dissident Democrats has organized a drive in the state to field delegates to the Democratic National Convention opposed to Mr. Johnson's renomination.

Senator McCarthy told the news conference at the Military Park Hotel that he had not yet decided whether to oppose the President in New Jersey. One of his supporters here said his decision would depend on the outcome of his primary fight against the President in New Hampshire on March 12.

Mr. FULBRIGHT. Mr. President, I have one other article to insert in the RECORD, unless the Senator from Indiana inserted the Wall Street Journal article.

Mr. HARTKE. I did.

Mr. FULBRIGHT. Then, I shall not place it in the RECORD.

Mr. President, I conclude by saying that I regret this debate was at least temporarily interrupted and an attempt made to ridicule the seriousness of the debate. I think it is an extremely serious matter. I think we are faced with a decision that the country is going to have to make. I was not aware of the fact that a Member of this body was not aware that serious consideration was being given by the administration as to where we go from here; how much we increase our commitment and forces or whether we make any move at all. But it is a time of reconsideration. There is no question about it. It is not a question of an anonymous rumor whatsoever. It is serious talk.

I have been approached by some of the highest officials in this Government, pleading with me to do this or that about other related subjects. I remind the Senate that it is not just Vietnam that we are talking about. We are talking about a deficit in the domestic budget that is running at the rate of some \$20 billion a year today, and no doubt will go higher.

Just suppose we do send 200,000 more men to Vietnam. We will be confronted with a supplemental request of an additional \$10 to \$15 billion, all added upon a deficit.

We have a huge deficit building up in our balance of payments. It was running at the rate of \$3.9 billion, I believe, the

last quarter of last year. We are going to be confronted with a request to vote on a gold cover bill, which removes all gold as the basis or backing for our currency; and our currency is already a lone stalwart seeking to hold up a crumbling international financial structure.

All of these things are directly attributable to this war; and I do not know how we can kid ourselves about it. Even the bill that is the business before the Senate today has a very great relation to the war in Vietnam. Were it not for the war diversion, the diversion of money in vast sums, the diversion of the attention of most of us, the executive and the legislature, to the war in Vietnam; were it not for our care and concern for the men who are being killed in increasing numbers every minute of every day, and have been now for some years we could concentrate in this country on the absolute fundamental duty that we owe to our own people here at home. It is the war which has distracted us.

All of this is one big difficult question, and it is not a laughing matter. It is not a matter to be cut off by technicalities on this floor. I do not think it is a matter that should be shoved under the rug, and everybody say, "Oh, well, that is the President's responsibility, let him make the decision and blame him for whatever happens."

He is already deep in this. He has already accumulated sufficient difficulties for one man to bear. I think it is time for the Senate to share that responsibility, and not only the Senate, but it is time for the country to share it. The Senate cannot share this responsibility until it is informed, until we have had a national debate of the fundamental questions and policies involved, and why.

Mr. President, I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. MANSFIELD. Mr. President, I have listened with a great deal of interest to the debate this afternoon, and I wish to commend the distinguished Senator from Arkansas for undertaking to initiate the discussion which has occurred.

Frankly, I am a little unhappy, personally, because the questions of Vietnam, possible escalation, and other matters were brought into a cloture situation. But on reflection, I am not at all averse to what has happened, because there is a relationship between our situation over there, especially in Vietnam, and what we are doing under the invocation of cloture in this body today. Both situations interlock, and they are together the most important problems which confront this Nation at this time.

May I say that in my judgment, we are facing today the most troubling days in the entire history of the Republic, and I bar no period in making that statement.

May I say also that it is my intention to uphold the hand of the President as much as I can in this particular matter, and at the same time stick to my own convictions.

Mr. BYRD of West Virginia. Mr.

President, may we have order in the Senate?

The PRESIDING OFFICER. The Senate will be in order. The Senator from Montana may proceed.

Mr. MANSFIELD. I think it is fair to say that regardless of how one feels about the situation in Vietnam, in Southeast Asia, and in Korea, the President has tried hard and vigorously and consistently to find a way to the negotiating table, to the end that an honorable truce could be achieved and an honorable settlement effected.

One may disagree with his San Antonio formula, or with his Johns Hopkins speech, but I hope Senators will not impugn his motives; and to the best of my knowledge, no one in this Chamber has.

He has tried. He has been unsuccessful. He has not gone as far as I would like; but he has done his best in a most difficult situation, the like of which has never confronted this country before, and I hope devoutly will never confront it again.

We are in the wrong place, and we are fighting the wrong kind of war; and those of us who try to say that if we do not fight there, we will be forced back to Hawaii or to California, ought to think and think again. Those who talk about the domino theory ought to get away from that cliché and look at the map and understand it; because there have been too many clichés. In that respect, I confess I have been as guilty as the next man, in trying to explain this struggle in which we are engaged.

There are those who say, "Win, go all the way, or get out." That sounds fine on the stump, and that may go well in our States, but it does not hold up in a consideration of the reality of the situation which confronts this Nation today, and those who say it know it.

I think also the President should be given 100 percent credit for the way in which he has handled the situation in North Korea vis-a-vis the *Pueblo* affair; and I think the Senate and the American people approve of what he is doing.

I would point out that one rash act in North Korea would very likely seal the doom and cause the killing of the 82 remaining members of the crew of the *Pueblo*; and not only that, but get this country involved in another land war in Asia—a second land war. For we are in one now, and it is more than enough.

In this instance, we should be prepared to face up to the Soviet Union and China, because, since 1961, mutual security agreements have been entered into between those two countries and North Korea. If there is an overt act or a rash act, those agreements will go into effect automatically.

So those who are militant, but who will not have to go to war, should think of those things for a change. They should think of the young men who are not making policy—we make the policy, in part—but who carry out that policy under their constitutional duties and obligations, as they should. Think of them, and think of what they are going through, and let us think a little less of ourselves. So I commend the President on that score.

I commend the President also—and I can speak personally of this—for being responsible, over the past months, for not inaugurating the doctrine of hot pursuit into the Kingdom of Cambodia. Someone has said that if we lose Vietnam, we lose Cambodia. We have never had Cambodia to lose, any more than we have ever had China and we were accused of losing China. Sihanouk knows what he is doing. He is trying to keep Cambodia for the Cambodians, away from us, away from the Chinese, the North and the South Vietnamese, the Thais, and all others.

In my opinion, Sihanouk is the ablest statesman in all of Southeast Asia, if not all of Asia. I am only sorry that there are not more Norodom Sihanouks looking after the interests of their own people and their own countries on their own. We could learn something from a man like that, instead of ridiculing him, as has been all too often the case since Cambodia achieved its independence.

I hope that someday the historians will go back to the Geneva Conference of 1954 and find out for themselves just how astute, how determined, and how wise Sihanouk was at that time. And I would hope that both the Committee on Foreign Relations and the Committee on Armed Services would be called into consultation before there would be any sizeable increase in American manpower in Southeast Asia. I shall have more to say about that later.

I would hope, also, that we would stop, or at least restrain ourselves somewhat in going back 3½ years to the Gulf of Tonkin resolution. There is not a thing any man can do about it now. It is past history. And as the distinguished Senator from Vermont [Mr. Aiken] said, this is something for the historians. What we have to do is to consider today and tomorrow, because that is what counts.

We cannot recall the Gulf of Tonkin resolution. If I knew then what I know today, I would have voted against it. However, I cannot operate on hindsight. I voted for the Gulf of Tonkin resolution.

Those witnesses who appeared before the Foreign Relations Committee were, in my opinion, honest and candid on the basis of the information at their disposal. And, as far as McNamara was concerned when he appeared some days ago before our committee in his farewell appearance, I think he was candid and honest in what he had to say about the intelligence activities of one or both of these destroyers.

There are great differences in this body. There are hawks so-called, and doves so-called. And I have no use for either name, because I do not believe there is a hawk in the Senate. Nor do I think there is a dove. A hawk wants to go all the way, even if it means going to Peking. And a dove wants to pull out unilaterally.

I know of no Senator who has advocated that.

I also get a little bit disturbed at the word "neo-isolationism," a term applied to somebody because he is not satisfied with what is going on in Vietnam and may exercise the right of dissent, a right guaranteed under the first amendment to the Constitution, and a right which

I will uphold, as long as it is constructive, for every Member of the Senate and for every American, because I think that is a part of the democratic process. In fact, it is the stuff of which democracy is made.

Dissent occupies an honored place in this country. And if we cannot dissent constructively, then I think we had better bow our neck and be prepared to live under a dictatorship. And I do not ever intend to.

A question has also been raised about the Chairman of the Joint Chiefs of Staff, General Wheeler, being the most important man in the Government next to the President.

That just is not so. As far as I know and can ascertain, and I do this on my own initiative, General Wheeler is a good general trying to do a good job. He is called in by the President now and again. He makes a trip to Saigon now and again, and he makes speeches occasionally. But I have never seen any evidence of abuse of power as far as he is concerned.

We are going to have before us shortly, if not this month, next month, Resolution 187, a resolution reported unanimously by the Foreign Relations Committee, a resolution seeking to define more clearly the relationship which exists, or which should exist, between the executive and the legislative branches, and most especially the Senate. And I think that the Senate does have a role under the Constitution to play in the field of foreign policy. But I think also that the Senate itself has abdicated that role and is responsible for the diminution of its own power.

So, when that resolution, introduced by the distinguished chairman of the Foreign Relations Committee, comes up, I hope it is given the most serious consideration, because that is what it deserves.

May I repeat that I would hope and expect the Committees on Armed Services and Foreign Relations would be called into consultation, and I anticipate they will be, if any great shift occurs in the present situation which confronts all of us in Southeast Asia today.

Some questions have been raised as to the figures which the distinguished chairman of the Foreign Relations Committee used in referring to a possible buildup of troop strength in Vietnam.

Every Senator has seen those figures in the press—every single one. And every Senator, I am sure, has raised questions as to how large the figure was going to be.

Prior to General Wheeler's return from Vietnam and Thailand, there were speculative reports that requests had been made to increase our forces in South Vietnam by 50,000 to 100,000 men. Since General Wheeler's return, the speculative reports and rumors have increased the figures to from 100,000 to 200,000 men. Whatever the figure, it appears that the pressure is on for an increase in U.S. strength in Vietnam above the 525,000 which had been set for July of this year. Before these forces are increased, I would most respectfully suggest that we face the realities of the past

4 years, see where we are, and try to look ahead.

Have we given enough consideration to peace suggestions and proposals, no matter how nebulous they may have been? I have in mind U Thant's proposal, backed by France and other nations. Perhaps. But I do not think so. Has North Vietnam given enough consideration to the San Antonio formula, as refined? Perhaps. But I do not believe it has given enough consideration. Therefore, we are at an impasse in the field of diplomacy, as we are in the area of the military situation.

What is the answer, if any? I say "if any" because there may not be an answer in the immediate future. But I do not believe that we should confess diplomatic failure and fall back on military answers only. Is that all we can think of? If we confess diplomatic failure—and I do not—then we face only a continuance of a grim escalation upon escalation on both sides. Are we prepared to face up to that gruesome project? Before doing so, it might be advisable to look at some facts and figures.

As of now, there are 1.3 million allied troops in South Vietnam, including 510,000 Americans. Opposed to them are an estimated 300,000 North Vietnamese and Vietcong troops. Of that number, it is estimated that 60,000 are North Vietnamese—60,000 of the 474,000 at General Giap's disposal in North Vietnam. Only one-eighth—one-eighth—of Giap's regular troops have been committed thus far. The overall ratio in the south is, roughly and conservatively, four to one on the allied side.

Furthermore, we—and this means the United States and its allies—have the helicopters, the fleets, and by far the greater preponderance of airpower. Nevertheless, our opponents have the initiative. They have fought at times and places of their own choosing. They have taken over much of the countryside and have forced the allies back toward the cities and to small, staked-out areas. They have probably killed off the pacification program, at least for the time being. They have added 500,000 more refugees for us to care for. They have pinned down a large segment of our combat strength at Khe Sanh.

The recent Tet offensive, in my judgment, was neither a defeat nor a death rattle for our opponents. It was, if anything, a confirmation of a stalemate.

These statements will, I believe, stand up under scrutiny. It is my belief, therefore, that we should not get in deeper, and that is what another addition of tens of thousands of men adds up to, because escalation only begets escalation. If we seek a clearcut military victory, then I suggest we will have to go far beyond the 100,000- or 200,000-man increase which has been rumored. We will have to raise taxes far beyond anything considered to date, impose wage and price controls, reinstitute regulation W, and be prepared to go on a full war footing, to carry on a war 10,000 miles from the continental United States. Are we prepared to be that much more of a hostage to the war in Vietnam? What national purpose is served thereby? It

would be well for all Senators and all our people to think this matter through.

Already there are voices of prominence advocating that we bomb the Red River dikes and thereby starve out North Vietnam. Would it?

Already there have been voices urging that we bomb North Vietnam back into the stone age. Would it profit us to do so, with China just waiting to move in?

Again, there are those who are advocating that we bomb the port of Haiphong and cut off the estimated 75 percent of the enemy's supplies which channel through there. Would it?

There are those among us advocating an invasion of North Vietnam, saying that this would win the war.

My answer to all these questions is in the negative.

I would point out my belief that today, with thousands of targets bombed, re-bombed, and bombed again, there are only enough significant targets untouched to amount to less than a score—to amount to less than a score—to amount to less than 20. It would seem to me that we would be well-advised not to heed the voices for further escalation and further destruction.

The war is in danger of becoming more open-ended than just Vietnam. If that takes place, no one knows where or how it will end. We do know that there will be, in reality, no victory for anyone, only a legacy of distrust, suspicion, hatred, and horror. Let us not destroy Vietnam in order to save it, because in so doing we may well end by destroying ourselves at home and abroad. Let us play down a military solution to the war and play up the possibility of an honorable, negotiated settlement. Let us give the most serious consideration to U Thant's proposal, and let North Vietnam give the most serious consideration to our 14 proposals. And let us give the most serious consideration to their four points. Let us jell the two together, and let us sit down and discuss these conditions and points of view. Let us put U Thant, as Secretary General of the United Nations, in the role of chief negotiator, as the honest broker. Surely such a procedure, or one along similar lines, would be far more preferable to more men, more ships, more taxes, more regulations, more war.

Coupled with U Thant's proposal, I would again call attention to the proposal of the distinguished Senator from Kentucky [Mr. COOPER]. It would confine the war to South Vietnam and would give full air protection to all our troops from the 17th parallel on down.

I would also call attention to this body's resolution, the so-called U.N. resolution on Vietnam, which passed the Senate unanimously, and call upon the administration again to push the issue, to bring it before the Security Council, and to let the members of that council stand up and be counted. I would want that to be done win or lose, because I say again, as I close, that, in my opinion, the troublous days which confront us now at home and abroad are the most dangerous since the founding of the Republic.

Mr. McGOVERN. Mr. President, it is hard to know what can be added to the eloquent words that have already been

spoken on this floor this afternoon by the Senator from Montana, who just held our attention, the Senator from Arkansas, the Senator from New York, and others. I wish to express my appreciation as a Member of the Senate and as a citizen of this country for what I regard as possibly the most significant discussion held on the Senate floor in many years.

I hope, with all my heart, that what has been started here this afternoon may in some way lead to a fundamental reassessment of the disastrous course we have been following in Vietnam in recent years, in which each new evidence of disaster has been followed, not by a change in our policy, but by a compounding of the very formula that brought us to the crisis which confronts us now.

If anything has been demonstrated here this afternoon it is not that we stand in agreement on this question.

What has been demonstrated is that the real strength of our system of government depends on the right of free debate and the exchange of ideas. We have been needing that kind of frank and open discussion of this issue for a long time.

I happen to feel that our policy represents the greatest and most unfortunate miscalculation in our national history. However, those who support it should be as interested as those of us who dissent in having the matter subjected to full, open, and frank debate. If the policy has some strength to it, that strength will be better revealed in open and honest discussion. But the great threat to the security of the United States will come at the moment we silence open discussion on this issue.

I was appalled by a story which was published on the front page of the Washington Post this morning which tells us that in one of the primary elections in this country, on a public platform where he hopes to open an examination of the issues before this body and where there is no stand-in for the administration another Member of this body, the distinguished Senator from Minnesota [Mr. McCARTHY] has had his patriotism and integrity impugned in his bid for the Presidency.

Mr. President, every Member on both sides of the aisle regards Senator McCARTHY as a man of impeccable patriotism and unchallenged integrity. However, we read in this morning's newspaper that—

President Johnson's campaign managers warned in a radio advertisement today that "the Communists in Vietnam are watching the New Hampshire primary . . . to see if we here at home have the same determination as our soldiers . . . Don't vote for fuzzy thinking and surrender."

I am very sure that the President of the United States has had nothing to do with such despicable and un-American campaign tactics. The person who signed that advertisement is not a Democrat, spelled with a big "D" or a small "d."

Mr. STENNIS. Mr. President, may we have order so the Senators can hear?

The PRESIDING OFFICER. The Senate will be in order.

Mr. McGOVERN. Mr. President, the

person who signed that advertisement does not understand what America is all about. Those are tactics of Hitler's Germany and Stalin's Russia. Those are tactics that would silence free and open discussion of honest differences of opinion.

I do not particularly care whether the Vietcong is watching our debate. Our responsibility is not to them. We have no obligation as elected officials to concentrate our attention either on pleasing the Vietcong or worrying about some misunderstanding on their part about democracy.

As the junior Senator from Wisconsin said on this floor several times, it will be a tragedy if we fight so blindly and fanatically to try to establish freedom in South Vietnam that we sacrifice it here at home. The people watching us that we do care about are the people of the United States, our constituents, and our people. Our responsibility is prescribed by those policies that are in the interests of the United States, that will advance the people's interest all over the country, and that will achieve the goal of peace and freedom around the world.

Mr. President, I wish to make perfectly clear that those who appeal to us on the grounds that we ought to demonstrate this same patriotism our troops are demonstrating in Vietnam miss the whole point. The patriotism of our troops is not at issue here. As General Gavin said in a recent article, no responsible American is questioning the integrity and patriotism of the American soldier.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield for a unanimous-consent request?

The PRESIDING OFFICER. The Senate is not in order.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield for a motion, without losing his right to the floor?

Mr. McGOVERN. I yield.

Mr. BYRD of West Virginia. Mr. President, I move that the Sergeant at Arms be directed, in view of the fact that there will be no more debate on the pending civil rights bill, to clear the floor of all staff personnel except the members of the staff of the Secretary of the Senate, the Sergeant at Arms, the secretary of the majority, the secretary of the minority, and the two policy committees.

Mr. ALLOTT. I object. I have unanimous consent that a member of my staff, Mr. Joseph Blake, be present and I want it to hold. He is the only member of my staff or the committee staff with whom I have to work on the bill.

Mr. MANSFIELD. That still holds.

Mr. BYRD of West Virginia. Mr. President, I renew my request, with the exception of the Senator's request.

Mr. FULBRIGHT. Mr. President, reserving the right to object, this debate has been entirely on a subject related to the Committee on Foreign Relations, rather than the staff of the committee handling the bill, and the staff of the Committee on Foreign Relations should be here because they are necessary for keeping track of the record.

Mr. MANSFIELD. The Senator has only to ask unanimous consent to have them stay.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that members of the staff of the Committee on Foreign Relations be permitted to stay.

Mr. CLARK. Regular order.

The PRESIDING OFFICER. Without objection, the request is granted.

Mr. CLARK. Mr. President, I understand the Chair ruled without objection that the request of the Senator from West Virginia was granted. I was on my feet prepared to speak.

I have a member of my staff whom I want very much on the floor during the debate. I ask unanimous consent that Mr. Harry K. Schwartz be permitted to stay.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senate will be in order. The Senate is not in order.

Mr. McGOVERN. Mr. President, to continue the remarks I was making with reference to the special responsibility we have to our troops in combat, I think the point made by the Senator from Montana is well taken that it does not really require very much courage or patriotism to stand on the floor of the Senate and cheer our troops on to their deaths. Our responsibility would be abandoned by that kind of blind endorsement of a policy that we believe to be mistaken and not in the national interest.

Mr. President, if my son were fighting in Vietnam, either at Khe Sanh or any other point where bloodshed is taking place on a mounting scale, I would not applaud the public official who endorsed without question every aspect of the policy which put him there. I would applaud the Members of the Senate and the members of the Government who stood by their convictions and argued them with all the force they could muster. The integrity, security, and welfare of our troops depend not on unquestioning approval of every request sent to the Senate, but on how conscientiously we discharge our duties in order to bring the best possible thought we can to this very complicated issue.

It is my judgment that for many months we have been following a strategy in Southeast Asia that plays directly into the hands of the most militant and aggressive strategists in the Communist world; that if we had tried to find some way, 2 or 3 years ago, to figure out a strategy that would weaken the United States and get us overcommitted and overinvolved in such a way as to give maximum advantage to Peking and Moscow, we could not improve very much on the strategy we have been following in recent years.

As for the argument that those of us who warn against the course we are now following are guilty of fuzzy thinking, as the article asserts, I think that the Senator from Wisconsin [Mr. NELSON] made very clear a few moments ago that there has been some rather fuzzy thinking on the part of those of us who have given assurance that the course we are following is the correct one.

I remember very well the experience

that eight or 10 Members of the Senate had in the summer of 1964. As I recall, it was in late August or early September of 1964 when Secretary of Defense McNamara—whom I still regard as one of the most able men ever to serve in the U.S. Government—came up to the Hill to meet with us informally.

He explained at that time when, as I remember, we had about 16,000 American troops in Vietnam, why he was opposed to sending in additional forces.

He said to do that would not reduce our casualties but would increase them because each time we sent another American soldier into the Vietnamese jungle, it was simply setting up another target for the Vietcong to shoot at. He said, furthermore, that if we continued to build up our American troop commitment there, we would turn it into an American war in which the American presence would become so obvious that the Vietnamese national identity would be eclipsed.

Mr. President, I think that was good logic and sound judgment at that time; but the regrettable thing is that we lost sight of it. We have heard thoughtful suggestions here that what the war has now become is a contest to determine whether the United States is big and powerful enough to defeat Vietnam. That was not our original purpose. The original purpose was to see whether, by limited assistance, we could encourage the development of a program in South Vietnam which would provide a non-Communist alternative to the regime in North Vietnam and to the insurrectionist forces in South Vietnam.

The great tragedy of this war is that each step, however limited it appeared at the time, has merely set the stage for further escalation.

To me, one of the saddest news stories to come out of the war to date came to us 2 or 3 weeks ago when a young American major was explaining why we had to destroy the city of Ben Tray—a city of perhaps 35,000 to 40,000 people—which was leveled by American artillery, helicopter gun ships, and heavy bombardment. This young major, doubtless a brave and dedicated man, told the American reporter that it became necessary to destroy the city in order to save it.

That, Mr. President, is the irony of this whole war. We became involved in the first place to reduce the loss of life, to reduce terror, and to stop the bloodshed. Instead, we have compounded it on a scale almost beyond imagination.

Mr. President, I am sure that if we continue on that course, we can demonstrate that we have the capacity to destroy South Vietnam. We can destroy the guerrillas and destroy three, four, or five innocent citizens for every guerrilla we wipe out. We can drop more bombs on North Vietnam. I have no doubt about that, because we have not unleashed our full military power. If what we are trying to prove is that the most powerful and richest country on the face of the earth can defeat one of the smallest, most impoverished, and most backward states on the face of the earth, we can probably demonstrate that capacity.

But, in doing so, as the Senator from New York has said, we will be engaging in the most immoral, the most unwise, and the most impolitic course in our national history.

I hope that the debate this afternoon will help reverse that course.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. LAUSCHE. Mr. President, I shall make but a few remarks—

Mr. FULBRIGHT. On whose time? [Laughter.]

Mr. LAUSCHE. On my time.

I suggest to the chairman of the Committee on Foreign Relations that instead of talking continuously on this subject, he introduce a resolution to the Senate—one, to repeal the Gulf of Tonkin resolution; two, if he does not want to do that, then a resolution to adopt the Gavin enclave recommendation; and, three, if he does not want to do either of the first two, then to present a resolution to declare that we pull out of South Vietnam and raise the white flag of surrender.

Mr. President, let us quit talking. Let us quit being divided. Let us reach a decision.

The only way we can reach a decision, instead of talking, is for the Senator from Arkansas to present a resolution to the Senate so that we will not be discussing matters in the abstract but will go right to the heart of the matter. Until he does that, I suggest that he quit talking.

I too am distressed with what is happening to the youth of the United States in South Vietnam but these acrimonious controversies will not lessen the losses.

Mr. CLARK. Mr. President, the purpose of the debate, I call to the attention of my good friend from Ohio—who I see is about to leave the Chamber—is to put the President on notice that the Senate has a right to know whether the Commander in Chief intends further to escalate this horrible war.

The Senate, I take it, has a right to advise the President in that regard. Perhaps it has a duty to consent. I am amazed that any Senator should call that point into question. There is nothing here involved as to whether the chairman of the Committee on Foreign Relations should bring in this, that, or the other resolution. The only point is whether we have a right to be consulted before the war is further escalated.

In my opinion, we are still a democracy. We are entitled to an answer from the White House to the searching questions which have been asked this afternoon by the Senator from Arkansas, the Senator from Montana, the Senator from New York, the Senator from South Dakota, the Senator from Idaho, and other Senators.

I hope that that answer will be forthcoming.

Mr. President, I think I was the last member of the Committee on Foreign Relations to visit Vietnam. I was the last American tourist to be taken through the magnificent citadel at Hue before it was destroyed. The able and effective American officer who took me through is now dead. The citadel was destroyed. Havoc has broken out all over the land.

When I came back I wrote a report for

the Foreign Relations Committee, entitled "Stalemate in Vietnam." That will be available to Senators and the general public at the end of this week. I would like briefly to refer to some of the conclusions and recommendations in the report.

First, the war in Vietnam is at a stalemate which neither side can convert into a military victory without leaving the country—and perhaps the world—in ruins.

Next, not only the military but also the political war is at a stalemate, distasteful though that word is to the administration—a stalemate which becomes more apparent with every day of continued bitter and costly fighting. As we increase the pressure, so does the enemy. We must take the initiative to stop this bloody, indeterminate conflict.

Our national unity is seriously threatened by the divisiveness caused by deeply held conflicting opinions about the war. Democracy, to be successful, needs an underlying consensus on matters of principle. This we learned from the controversy over slavery at the time of the Civil War. The political fabric of our society is at the tearing point. The traditional democratic concept of alternatives being presented to the voters sufficiently within a national consensus to permit the maintenance of law and order, no matter who wins, is no longer accepted by a large segment of our society. The divisiveness over Vietnam is running deeper every day.

Vietnam is a cancer which is devouring our youth, our morals, our national wealth, and the energies of our leadership. The casualty list from this war only begins on the battlefield. As victims, we must also count the programs of the Great Society, the balance of payments, a sound budget, a stable dollar, the world's good will, detente with the Soviet Union, and hopes for a durable world peace. The toll of this war can never be measured in terms of lives lost and dollars spent—they are only the tip of a vast iceberg whose bulk can never be accurately measured.

We are not likely to end the war by a military victory. This has been amply demonstrated by the recent Vietcong offensive. This is primarily a political war, a war which cannot be won by bullets and bombs short of annihilation of both the enemy and the people for whom we fight.

Nor can we get out by unilateral withdrawal, attractive as that may appear to some.

And there is not a Senator in this Chamber—and I wish the Senator from Texas were still here, but he had to leave, and I can understand that—nor has there been, who advocates a unilateral withdrawal or a policy of "scuttle and run" from Vietnam. Nor is this suggested as an alternative to the present policy. I say that is a straw man set up to be destroyed. Nobody is advocating a unilateral withdrawal from Vietnam, and it adds nothing to suggest that that is the only alternative.

Mr. HART. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. HART. I recall distinctly that, more than a year ago, the Senator from

Pennsylvania, in a commencement address, which I thought was a very interesting and profound address, made clear his position. If anybody ever thought the Senator from Pennsylvania was in favor of a "cut and run" policy, he was 100 percent wrong. The Senator's position at that time, and now, is that face saving is an Asian problem; it ought not to be ours; that we ought to recognize that, having gotten in there, unhappily, we now must make clear that political problems are not going to be solved by the application of force, and that we did have the obligation to insure against that in connection with our involvement in Vietnam. I remember that distinctly.

On that precise point I recall clearly that the Senator from Pennsylvania has never proposed a cut-and-run policy. If anybody thought the Senator from Pennsylvania favored a cut-and-run policy, he was 100 percent wrong. My memory goes back to a speech made by Senator CLARK at Haverford College in 1966. It so impressed me that I have "plagiarized" it on occasion; so frequently, indeed, that I can quote it almost exactly:

The United States should get out of Vietnam as soon as it can with decency. Our foreign policy should be above dealing in status symbols. Face saving is an oriental, not a Western, requirement.

I believe this, too. He went on to say we should not have gotten onto mainland Asia with large ground forces. I believe this, too. But he also said that, now that we were there, "it is important to make clear to Hanoi and China that force is no longer an acceptable method of solving political problems. So we cannot afford to be driven into the sea, or to withdraw unilaterally, surrendering all of South Vietnam to the undoubted terrorism of the Vietcong and their North Vietnamese allies." That also I believe. And that is no cut-and-run position. Because I was so impressed by Senator CLARK's speech and have referred so often to it I am sure my quotation of it is very close to exact. It is a good position; it is his position, and it is mine. The means to peace are difficult and we do not agree on all the steps, but agree fully our escalation should be pursuit of the means.

Mr. CLARK. I thank the Senator from Michigan for his helpful intervention. He has correctly stated my position then and now.

Mr. HART. May I add that he persuaded me to that viewpoint.

Mr. CLARK. I again thank the Senator.

Mr. President, there could be any number of scenarios as to how this unhappy war could be brought to an end. I have set forth one in my report. It is a solution. It is not necessarily the solution.

I am not going to detain the Senate this evening by going into it. Senators who are interested in it will find it in the report. But I close my comments this afternoon with the last paragraph of this report.

In short, we are stalemated in Vietnam as we were in Korea 15 years ago. We must take the action we took then; seize the initiative to reach a compromise solution—without military victory but also without defeat. And never, never

again should we commit a ground army on the mainland of Asia.

Mr. President, I hope the debate this afternoon, if it has done nothing else, will persuade the President, whom I honor and whom so far I have supported, to come, in all candor, to the Congress of the United States to tell us his plans, to permit us to debate them, to give us that part in the decision of whether there should be escalation of this war to which, in my opinion, we are entitled under the Constitution of the United States.

Mr. PELL. Mr. President, I rise to support the words of the Senator from Arkansas in advocating a discussion and a public debate on the direction of our policy in Vietnam, what our objectives are, and to ascertain where our real national interests are. And in this connection, I know there is no man who wants peace more than does President Johnson.

I have been struck, as a relatively new member of the Foreign Relations Committee, by the fact that when I went on the committee in January 1965, there was considerable indecision and open-mindedness with regard to what our policy in Vietnam should be. In the course of the intervening 3 or 3½ years, I have seen that committee, a group of 19 thoughtful and intelligent men, probably exposed more than any other group of Congress to the pros and cons of Vietnam, develop an increasing disenchantment—at least among the majority of its members—with our policy.

I would think, and I would wager too, that if there is adequate, open debate about our policy in the Senate, and if Senators participated, asked questions, received answers, and then, if they were dissatisfied, followed up on them, that there might be a shift in sentiment in the Senate just as there has been in the Foreign Relations Committee. And just as I think there would be in the country as a whole.

That is why personally I believe in the idea of open hearings of the Foreign Relations Committee, because I think, as the American citizen, the American gas station attendant, the plumber, the American housewife, listens to the debate and the indepth questions and answers, they will form a pretty good idea of where the true interest of America lies and what is our most sensible policy.

In this connection, too, I find myself in complete, wholehearted agreement with the views that were expressed far more eloquently and in more scholarly form than I could have expressed them by the senior Senator from Montana.

Again speaking personally, I believe that the policies we have followed in these past several years in Vietnam have been against our national interest and, as has been suggested in the course of the debate, almost appear as if they might have been drawn up and scenario worked out by some little evil genie sitting somewhere in Peking or the Kremlin.

We know that is not the case. I am in no way impugning the motives of those who make these plans. But it looks as though what we are doing is more to the advantage of those who oppose us than of those in whose cause we believe.

Finally, too, I think that all of us as individuals face a terrible quandary. If we express our doubts publicly too vehemently, we may then be, as happened to the Senator from Minnesota [Mr. McCARTHY] yesterday in New Hampshire, accused of a lack of patriotism.

I think most of us here are veterans, have fought in various of our country's wars, and have had our own experiences with enemies of the United States; and I would suggest that the patriotism of us all is equal. Yet, when we are faced with this situation, and we question publicly, the policy we are following, we are concerned that we might hurt the morale of our young men overseas, which is a very important point, or that our words may be fastened upon by Radio Hanoi, Radio Peking, or Radio Moscow.

But what is the alternative? The alternative is to favor greater harm to our national interest through following a policy which some of us, I for one, think is bound, if it keeps going the way it has, for disaster; a policy which, if the war had ended yesterday, we would be worse off for having followed than if a year ago it had ended—or we had begun following a deescalating policy.

What is my own policy? For I think all of us who are critical have an obligation to say in what we believe.

I know that for more than 3 years now, I for one have felt we should cease the bombing in the north and pursue deescalation in the south. I continue to believe that way, but I shall not burden the Senate now with the reasons for my view, which were stated in a long speech I gave a few months ago.

However, I ask unanimous consent to have printed in the RECORD at this point an article entitled "We Can Get Out of Vietnam," written by Gen. James M. Gavin, and published recently in the Saturday Evening Post. General Gavin, together with General Ridgway and General Shoup, has ideas with which, while not in complete agreement, I agree generally, regarding our strategy in Vietnam.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WE CAN GET OUT OF VIETNAM

(By James M. Gavin, in collaboration with Arthur T. Hadley)

Vietnam is the least-understood conflict in our nation's history. We have committed more than 480,000 troops and the might of our air and sea power. We have fought skillfully and bravely. Yet "victory" is nowhere in sight. Will more troops bring a quicker victory? More air strikes?

Unfortunately, there will be no "victory" in Vietnam. Only more victims. This is the difficult and unfortunate truth we have yet to understand. To see the Vietnam problem, we must first trace briefly the history of our involvement there, and then set Vietnam in the context of our present military and diplomatic capabilities. When we have done that, we may not have "victory," but we can at least plan toward a successful conclusion of the war.

Before beginning this study of the Vietnamese situation, I want to make one point absolutely clear. On the level of combat itself Vietnam is the best-fought war in our history. I have watched officers and noncoms leading the troops in the field, and they are highly professional; the troops start out well-trained, battle-ready. Americans, whatever

they think of the conflict, can be proud of these soldiers and their dedication. Let no debate on Vietnam divide us from the knowledge of our soldiers' courage. The errors of this tragic war are made not on the battlefield but in Washington.

My own involvement with Vietnam began in 1954. I was then Chief of Plans of the Army, serving under Matthew B. Ridgway, the Chief of Staff. I had served with him in the past—a man of incisive intelligence and great moral courage, a good man to work for.

In 1954 the French in Vietnam were involved at Dienbienphu. They had dug into this isolated fortified area to provoke the Vietminh into a major battle in which the Communist troops would be destroyed. But then it became clear that the battle was not going as the French had planned. They stepped up their already tremendous demands on the United States for war material.

The Joint Chiefs of Staff had been doubtful about the Dienbienphu strategy from the beginning. I felt that genuine French concessions to make Vietnam independent were far more important than mere firepower.

As the situation at Dienbienphu worsened, the French in desperation asked us for carrier strikes against the attacking Communists. Adm. Arthur W. Radford, then Chairman of the Joint Chiefs of Staff and a strong advocate of carrier air power, favored this. So did Gen. Nathan F. Twining, Chief of Staff of the Air Force, and Adm. Robert B. Carney, Chief of Naval Operations. There was even talk of using one or two nuclear weapons. Our allies, sounded out by Secretary of State John Foster Dulles, were opposed. General Ridgway believed that the air attacks would be indecisive, and that they would lead to involvement of American ground troops. We in the Army felt that this was a war that America certainly did not want.

Ridgway carried his disagreement to President Eisenhower, who finally decided against the air strike. I am convinced that Ridgway, along with our allies, played a crucial role in aborting this 1954 effort to involve us in Vietnam.

Dienbienphu fell on May 7. The next day the French and the Vietminh met in Geneva and—with speed that surprised us in the Pentagon—agreed to end the war. They wrote the Geneva accords of July, 1954, partitioning Vietnam at the 17th parallel into North and South Vietnam, and providing for nationwide elections to be held by July 20, 1956, to decide the nature of reunification.

To understand what happened next, it is important to understand the attitude of the Pentagon in 1954, because this attitude produced the initial decisions that led to where we are in Vietnam today and because this attitude is still all too prevalent in our military thinking.

In 1954 the Korean War controlled Pentagon thinking. For the Air Force it had been a disillusioning and frustrating experience. They had assumed that air power would demolish the North Korean military. They had trumpeted this point of view to the public and to the President. When bombing failed to halt the North Korean war effort, the Air Force developed the myth of the Yalu sanctuary. If only they could bomb Manchuria, beyond the Yalu, everything would turn out all right. Thus, at least in public, the Air Force was able to avoid confronting the evidence that in Korea air power had failed, strategically and tactically. Unfortunately, from their frustration sprang a readiness to reply to any challenge to American power with threats of total nuclear war.

To the Army, Korea had been embittering and costly. Of the more than 147,000 casualties, most had been in the ground forces. Despite the Army's wealth of combat experience, abundant logistical support and modern equipment, major units had been surprised and routed by Chinese forces. We felt that more Korea-type wars—wars fought out

on the ground—were a possibility, and that we should have funds to train and equip ourselves for them. Instead, we were beginning to feel the pressure of the "new look" cutbacks that flowed out of the doctrine of massive retaliation. Our funds and troop strengths were slashed, while the forces for strategic nuclear bombing were built up.

In addition all of us in the Pentagon—and I include myself—tended to see the world in terms of good guys and bad guys. It was a simple vision, and in the era of Stalinism it held much truth.

Still, we should have been wiser. We assumed that Peking was a pawn of Moscow, that Russia—thwarted in Europe by NATO and the Marshall Plan—was on the march in Asia. The Communist world was assumed to be an integrated, monolithic block. Only a few of us were beginning to distinguish between the nationalistic Communism of Tito and the Stalinism of Russia. And even fewer extended that concept to Ho Chi Minh's brand of Communism in Vietnam. The whole idea was near-heresy, but the fact was that Communism was changing; the future would show that there were brands of nationalistic Communism with which the United States could quite safely coexist.

This was the Pentagon atmosphere as we followed the Geneva talks. We felt that the French, despite the lavish support they had had from us, were acting almost entirely out of self-interest—protecting French investments—rather than in the interest of democracy as a whole.

With the folding of the French the Pentagon staff assumed that the burden of fighting Communism in Asia had now fallen upon the United States. Secretary of State Dulles and the CIA agreed with the Pentagon. At that time Secretary Dulles was building a paper wall of treaties to contain Communism. The Joint Chiefs began a high-priority study of a proposal to send combat troops into the Red River Delta of North Vietnam.

It was my responsibility as Chief of Plans of the Army Staff to recommend a position for the Army. I began by bringing in Asian experts. We had to face the fact that if we entered North Vietnam we were, in effect, going to war with Red China. Red China would be providing most of the arms, vehicles and ammunition, and would feel that our move was a threat to her national self-interest.

(Let me reiterate: the Army staff and I wanted no war with Red China. We argued forcefully and frequently against such a war. We simply considered the alternatives.)

The Army staff anticipated a bloody and costly war that would engage a tremendous portion of our manpower and resources, at the expense of our obligations in other parts of the world and at home.

As they had during the Dienbienphu crisis, the Joint Chiefs divided. Admiral Radford strongly favored landing a force in the Haiphong-Hanoi area, even at the risk of war with Red China. The Chief of Staff of the Air Force and the Chief of Naval Operations supported him.

In my opinion the risk of war would have been great. Just southeast of Haiphong harbor is the island of Hainan, which is actually part of Red China. The Navy was unwilling to risk ships in the Haiphong area without first taking the island.

Once more the embattled Ridgway dissented. Using the staff study we had prepared in the Army, he wrote directly to President Eisenhower, pointing out the hazards of a war in Vietnam. Again, fortunately, the President decided not to commit U.S. forces to Southeast Asia.

However, there was a compromise. We decided to support what he hoped would be a stable, representative, independent government in South Vietnam. The fact that this was contrary to the Geneva accords seemed irrelevant.

We thought then that our most serious problem was the selection of a premier for South Vietnam, to serve under the technical head of state, Emperor Bao Dai. The job fell to Ngo Dinh Diem.

I visited Saigon early in 1955 to discuss political and military-aid matters. I met Diem, who struck me as very nonpolitical, self-centered and quite unresponsive to the needs of his people. Nonetheless, the Defense Department, the State Department and the CIA supported him. Once more we were acting from honest conviction: The world was black and white, no gray in between. We had stopped Communism in Europe. We had stopped it in Korea. Now we were going to stop it at the 17th parallel in Vietnam.

On July 16, 1955, the Diem government announced—with American backing—that it would not comply with the provision of the Geneva accords calling for free elections. The reason given was that free choice was impossible in the North. In supporting Diem in this, the United States violated its own unilateral "Declaration of Support for the Geneva Conference."

At the time of Diem's announcement there still were significant numbers of French troops in South Vietnam. But thereafter the French began thinning out rapidly. On October 26, 1955, Premier Diem deposed the absentee Emperor Bao Dai and became the first president of the Republic of South Vietnam. President Eisenhower wrote to Diem offering U.S. assistance "in maintaining a strong, viable state, capable of resisting attempted subversion or aggression." Later President Eisenhower explained that this meant aid only. And during his Administration the U.S. Military Advisory and Assistance Group did not increase significantly; it averaged 650 men.

President Kennedy began to occupy himself with Southeast Asia immediately after his inauguration. By then the resistance movement in South Vietnam by the National Liberation Front, or Viet Cong, had gained strength.

My growing concern with the doctrine of "massive retaliation" and American overreliance on nuclear weapons led me to resign in 1958. With the election of President Kennedy I returned to government service as Ambassador to France. Early in the Kennedy Administration the United States accepted the independence of Laos, led by Prince Souvanna Phouma, whom many in our Government believed to be Communist-controlled if not outright Communist. During the negotiations I met several times with Souvanna Phouma in Paris, at the request of President Kennedy, to persuade him that he could trust the United States.

While Laos then is not Vietnam now, there are distinct parallels. The Laotian experience convinced me of the need to work with national leaders of all political persuasions, as we had with Tito in Yugoslavia. Laos also convinced me of the fallacy of the falling-domino theory. Laos went neutral. Neither Cambodia nor Thailand fell.

In the meantime things were not going well with Diem's government in Vietnam, though we were doing our verbal best to help him. Vice President Johnson, visiting there in 1961, referred to Diem as the "Churchill of today." Yet the Diem government became more isolated and oppressive. And by 1963 the war in Vietnam also was going very badly. President Kennedy was having grave doubts about our course of action (we now had more than 15,000 men there). Recent books have indicated the depth and bitterness of the division in the Kennedy Administration over Vietnam.

The President himself stated publicly:

"In the final analysis it is their war. They are the ones that have to win it or lose it. We can help them, give them equipment. We can send our men out there as advisers. But they have to win it."

However, the President's military advisers continued to tell him the war was going well. On October 2, 1963, after another quick Vietnam trip, McNamara insisted that the President issue the following statement:

"The military program in South Vietnam has made progress and is sound in principle, though improvements are being energetically sought. . . . Secretary McNamara and Gen. Maxwell Taylor reported their judgment that the major part of the United States military task can be completed by the end of 1965. . . . They reported that by the end of this year [1963] the U.S. program for training Vietnamese should have progressed to the point that one thousand U.S. military personnel assigned to South Vietnam can be withdrawn."

There has been much speculation about what President Kennedy would or would not have done in Vietnam had he lived. Having discussed military affairs with him often and in detail for 15 years, I know he was totally opposed to the introduction of combat troops in Southeast Asia. His public statements just before his murder support this view. Let us not lay on the dead the blame for our own failures.

By 1964 Vietnam had become a major political issue in the presidential campaign. (There were, by then, 23,000 U.S. troops there, mostly advisers.) President Johnson said: "We aren't going to send American boys nine thousand or ten thousand miles away to do what the Asian boys ought to be doing for themselves."

In August of 1964, in circumstances still not totally clear, two U.S. destroyers were attacked in Tonkin Bay by North Vietnamese PT boats. In the excitement following the attack, Congress, at the behest of the Administration, adopted the Southeast Asia (Tonkin Bay) Resolution upon which the Administration bases its actions today. On February 7, 1965, the first air strikes were ordered against North Vietnam. On March 6, U.S. Marines were ordered to land in the Danang area, north of Saigon. By October of 1965, American forces in South Vietnam totaled 132,300.

At this time it was already perfectly clear to me that as a military operation Vietnam made no sense. It was obvious that bombing was not going to bring Ho Chi Minh to his knees. This was the lesson of World War II bombing—German war production actually rose despite the devastating attacks. And—more immediately to the point—it was the lesson learned by the British in the war they won against Communist guerrillas in Malaya. The British high command began bombing suspected guerrilla areas but stopped when they found that the bombing's indiscriminate brutality alienated the people and strengthened the guerrillas.

It followed, then, that to get our "victory" we would have to commit an ever-growing number of ground troops. But this is no panacea either. There are definite contributions that ground troops, handled with sophistication, can make in a guerrilla war, but if the people of the country like the guerrillas better than they like the government that the foreign troops are supporting, the mere pouring in of more and better-equipped ground troops won't win the war.

As the government at Saigon did not appear to have this popular support, I believed the war would not go well, and that when this became clear the Pentagon and certain sections of Congress would call for more troops and heavier bombing until we escalated into a direct confrontation with Red China. This could lead directly to a nuclear World War III.

With this grave concern I tried in my own mind to develop some strategy that could stop the escalation and end the war. I evolved in 1965 what has come to be known as the "enclave" strategy. And I promptly found myself at the center of violent con-

troversy. I believe that the enclave strategy is even more valid today than it was in 1965. Combined with a halt in the bombing of North Vietnam, it would constitute a vital first step in our de-escalation of the war.

I reasoned that a primary tactical problem, once a war occurs, is to keep it limited. This is particularly true of a war in which we should not have become involved, and in which U.S. interests are, at best, marginal. Therefore I sought a way to halt the buildup, hold what we had, and open negotiations for peace.

By the fall of 1965 the United States had built up enclaves—vast logistical facilities at Cam Ranh Bay, Danang, Saigon and other places. If we concentrated in these centers, we could immediately stop the ever-increasing inflow of U.S. troops and probably reduce the number of men involved. At the same time, we could encourage the development of democracy in the large areas dominated by these enclaves, and could help the South Vietnamese bring their own troops to a high standard of combat performance.

While doing this, we could search for a diplomatic solution of the war, using our hold on the big enclaves as a decisive counter in the bargaining.

I fully realize the problems of negotiating with the N.L.F. and the North Vietnamese. They are a tough, determined foe. They have fought the Japanese, European colonists, and Americans for more than 20 years. Our knowledge of them is distorted by distance and by propaganda—ours and theirs.

The Hanoi government has several times stated its position on ending the war, probably most significantly in the four points laid down by Premier Pham Van Dong on April 13, 1965:

1. In accordance with the Geneva Agreement, the United States must withdraw from South Vietnam United States troops, military bases, etc.

2. Pending the peaceful reunification of Vietnam, the provisions of the 1954 Geneva Agreement pertaining to no military alliances, foreign bases, etc., must be respected.

3. The internal affairs of South Vietnam must be settled in accordance with the N.L.F. program.

4. The peaceful reunification of Vietnam is to be settled by the Vietnamese people in both zones, without any foreign interference.

Hanoi has indicated on several occasions that these points were a basis for talks rather than preconditions. Their more recent statement was that they would talk if the bombing stopped.

Meanwhile, the war assumes a distinct Orwellian character. Images of violence and blood flash into our living rooms on TV screens. The goal and principles for which we began the conflict lie close to forgotten. Brave men die. Experts in Vietnam told me privately that the war could last 5 to 10 more years. Yet both sides seem to lack the will, or the ability, to extricate themselves from the nightmare.

We seem to have forgotten that one of the vital aspects of a limited war is that it be limited in time also. A war may involve a minor portion of the total resources of a nation and may be limited to a small area; but if it goes on for four or five years at a reasonably intense level, it is not truly limited.

A Vietnamese solution, based on a "free, neutral and independent" nation—on the pattern of Laos—should be acceptable in Vietnam. Such a government, without ties to China, the Soviet Union or the West, would be in the best interests of Vietnamese and Americans. I do not believe that Ho Chi Minh ever wanted to be a puppet or satellite of China, or of Russia. The information we have indicates he is a patriot, an intense nationalist, albeit a Communist—a Tito.

In Vietnam, war forces the N.L.F. into dependence upon Hanoi, and Hanoi into dependence on China and Russia. This com-

promises not only the prospects for peace but also the independence of any post-peace action by the N.L.F. Thus our military action tends to create the very Communist monolith we entered the war to avoid.

We should take extraordinary diplomatic steps to get fruitful negotiations. The President should appoint, with the advice of the Senate, a special cabinet-level official of great stature to negotiate with the N.L.F. and Hanoi. The sole responsibility of this official should be termination of the war. He should be served by his own staff, free from bureaucratic interference and the burden of past positions. With a reasoned military strategy and the full energies of our Government devoted to diplomacy, I am convinced that the Viet Cong and the North Vietnamese will negotiate.

The following steps should be taken promptly:

1. All bombing of North Vietnam should be stopped, not just because the Communists want it stopped, but because strategic bombing of the North is counter-productive. In a bombing termination, strategy and morality coincide. It should be undertaken immediately.

2. Extraordinary and energetic measures should be taken by our Government to enter into negotiations with the N.L.F. and Hanoi governments. We have contacted these governments in the past. These contacts should be reopened. Negotiations should be handled by a specially appointed cabinet-level official, operating with the full confidence of the President.

3. We should develop and put into operation a plan for the de-escalation of our forces, to be based on the enclave strategy outlined earlier.

Although I think that by now the American people realize that we are on an unwise course, I anticipate bitter criticism of any plan that involves a United States phase-out from Vietnam. Harsh words will come from congressional leaders who have advocated increased bombing. Some in veterans' organizations and the military will find it difficult to accept what appears to them to be not "victory" but "appeasement." And the far left will decry as "imperialism" any safeguards necessary for ourselves and our South Vietnamese friends.

A settlement will be emotionally difficult, taxing in time, wearing on our wisdom and patience. But a settlement is imperative in our own self-interest. Its alternative is continued escalation until we oppose the forces of Red China in World War III.

With Vietnam we have grown up into tragedy. We cannot end our involvement without some cost, some pain. A mature nation can face such realities and take actions that, while they are less than some want, nevertheless lead away from the risk of self-destruction. I am sure we can.

Mr. PELL. What I would add, though, is that I think there should be aggressive patrols around any area where our troops might be withdrawn in order to keep enemy weapons at a distance. And I think if the enemy once discovered we were willing to stay until the cows came home in defendable areas, with the expenditure of far less of our blood and money than today—the public could bear with it and we could continue it as long as necessary, as the price of our greatness. Then, the tables would be turned and it would be to the advantage of the enemy to try to negotiate us out of where we were. I believe we would soon find, too, if we were willing to follow this, do that, at a bearable cost, that the war before now would have been concluded.

A SENATOR'S DUTY TO DISSENT

Mr. GORE. Mr. President, I wish to address the Senate today only briefly.

Later I shall engage more fully in the debate which has today, I believe, been initiated.

I should like to address a few remarks today to the subject of a Senator's duty to dissent.

Mr. President, it was in 1775 that Patrick Henry spoke before the Second Revolutionary Convention of Virginia at Williamsburg. It was in that speech that he uttered his famous plea for liberty or for death; but it is not that phrase to which I wish to make reference. I shall quote him more in point, I believe, on the question before the Senate. He said:

No man thinks more highly than I do of the patriotism, as well as abilities, of the very worthy gentlemen who have just addressed the House. But different men often see the same subject in different lights; and, therefore, I hope that it will not be thought disrespectful to those gentlemen, if, entertaining as I do, opinions of a character very opposite to theirs, I shall speak forth my sentiments freely and without reserve. This is not time for ceremony. The question before the House is one of awful moment to this country. For my own part I consider it as nothing less than a question of freedom or slavery; and in proportion to the magnitude of the subject ought to be the freedom of the debate. It is only in this way that we can hope to arrive at truth, and fulfil the great responsibility which we hold to God and our country. Should I keep back my opinions at such a time, through fear of giving offence, I should consider myself as guilty of treason towards my country, and of an act of disloyalty towards the majesty of heaven, which I revere above all earthly kings.

Mr. President, the dilemma Patrick Henry faced continues to confront the elected Representatives of the American people. Indeed, it confronted yesterday a candidate for the Democratic nomination for President. It confronts, and has steadily during recent months confronted, Members of the U.S. Senate. Insinuations have been frequent, and from the highest sources as well as from our colleagues in the Senate, that the expression of dissent would in some way aid or encourage the enemy.

This dilemma is as old as our Republic. The dilemma is whether, in certain situations, patriotism demands that men hold their tongues or speak their minds; whether the true patriot, who questions the course of action his government is taking, should remain silent and thus by his silence give his assent to the conduct and the policies of his government or should, instead, in voice challenge the wisdom of his leaders.

I believe, Mr. President, that a U.S. Senator not only has a right to express his dissent but a duty to do so, and the greater the cause, the greater the duty. It will be a lamentable day, indeed, when U.S. Senators refrain from criticizing or questioning the policies of our Government because of the fear that to do so will bring upon them the opprobrium, the accusation, the insinuation or the question of being unpatriotic. This shall not be. And, as Patrick Henry noted, the more important the subject, the freer—the more outspoken—should be the debate.

I do not think that anyone would deny that the war in Vietnam involves the most important question our Nation faces today. It is the most important

question upon which we can engage in debate. Witness the fact that today, even though the Senate is considering a measure which would initiate one of the most far-reaching social reforms in the history of our Republic, yet, when the subject of the war in Vietnam is broached, the other subject is forgotten, and for three or four hours now debate has flared, I hope it will continue to flare for days to come.

Fortunately, the Secretary of State, the Honorable Dean Rusk, has agreed to testify in public on the policies of the U.S. Government. That testimony will begin next Monday, and I hope that will be but a beginning of a reassessment and a probing examination of this policy described by the distinguished majority leader earlier today as one which threatens to destroy not only the nation we profess to be saving, but also the United States, both abroad and at home.

To what graver question can the Senate address itself? Let us proceed with a careful examination. And let us hope that we can contribute to the making of wise decisions by the President of the United States, for whom I have the deepest of sympathy in the great burden he bears. He, too, has been misled—perhaps not intentionally, but by the erroneous estimates of those who told him in the beginning that once American forces were committed, the conflict would soon end.

I am told that some said within months, if not within weeks; this was an erroneous estimate. What influence it had upon the President's decision, I do not know. But, be that as it may, let me ask one question, and with this question I close.

What would be the price of unanimity in the present situation? What would be the consequence if all Senators sealed their lips, silenced their voices? Suppose there were no dissenting voices on a policy which has already led us to tragedy? How do we achieve unanimity in this country? In this distraught circumstance, I do not know.

The senior Senator from Ohio [Mr. LAUSCHE] challenges the chairman of the Foreign Relations Committee to introduce a resolution to withdraw from Vietnam. I doubt if that would bring unanimity any more than a resolution to declare war upon North Vietnam would bring unanimity.

Oh, if a declaration of war should pass, it would silence the dissent of this Senator. However, these constitutional processes that invoke powers and patriotism and legal sanction have not been used. We have been led into a war by inadvertence, step by step, backward.

Only a few Sundays ago on television, the Secretary of Defense and the Secretary of State indicated that 2 years ago they did not foresee the size of the present commitment. I do not have their exact words in mind. In a later speech, I will quote them exactly.

Senators, too, have erred. I do not excuse myself. There has been enough error for all to share.

Yes, Mr. President, this country is seriously in need of reassessment, re-examination, and reappraisal. The chairman of the Foreign Relations Commit-

tee has said earlier that such reappraisal and such reexamination is underway in the executive branch of the Government now. I hope it is. And I believe that to be true. But the elected representatives of the American people need to be part of that reassessment and that reappraisal. And, to the extent that the security of the country will permit, the American people whose sons are dying have a right to know.

I am therefore pleased that we will begin a public hearing next Monday.

Mr. PELL. Mr. President, will the Senator yield for a question?

Mr. GORE. I yield.

Mr. PELL. Mr. President, the Senator asked a very good question. What would happen if the Senate ceased to speak out its mind on this question?

I wonder if we cannot go back into ancient history and look at what happened to Rome and its Senate following Rome's most complete victory, the one at Carthage.

Mr. GORE. The Senator makes a pertinent historical allusion. Let us hope and pray that the great United States, blessed as it is with unequalled powers, resources, glory, and resolution of its people, will not suffer the fate that Rome suffered, nor that it will visit upon other countries and other cities the tragedy of Carthage.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. GRUENING. Mr. President, this debate has essentially been a magnificent effort to reaffirm and recapture the responsibility of the U.S. Senate in the democratic process and in accord with the provisions of the Constitution. And as such, I pay tribute to the distinguished chairman of the Foreign Relations Committee who has raised the issue and to all other Senators who have spoken so eloquently today on the subject of the war in Southeast Asia and of the Senate's responsibility in the matter.

I do not at this late hour wish to take the time to express my views on the war, which are well known and were expressed for the first time in a full-length speech on the floor of the Senate 4 years ago this very week.

I only say that it has become increasingly clear that those of us who foresaw an ever-deepening disaster by reason of our becoming involved in a ground war on the continent of Asia are gratified that at long last there is a realization of the enormity of the catastrophe into which our national policies are steadily plunging our Nation.

I am confident and hopeful that this debate, initiated by the distinguished chairman of the Foreign Relations Committee, who has shown great leadership in trying to call the attention of the Nation to the errors our foreign policy has been committing, will lead to its reappraisal and to participation by the Senate in future decisions based on frank collaboration with the executive branch, and avoid thereby further descent into the ever-deepening chaos into which we are now headed.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. GORE. Mr. President, I yield to the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, a moment ago I made reference to two persons who had the foresight, or, in the words of the Senator from Wisconsin [Mr. NELSON], the intuition—which is a very good word in my opinion—to foresee the dangers involved at the time of the consideration and passage of the so-called Tonkin Gulf joint resolution.

The Senator from Alaska [Mr. GRUENING], together with the Senator from Oregon [Mr. MORSE], were the only two Members of the Senate who had the foresight to object to that procedure. I congratulate the Senator from Alaska for his foresight.

Mr. GRUENING. Mr. President, I say with great humility that I think if the facts which were brought out in the recent hearings of the Foreign Relations Committee by the pertinent questions by the chairman [Mr. FULBRIGHT] and by the distinguished senior Senator from Tennessee [Mr. GORE] had been known at the time of the consideration of the Tonkin Gulf joint resolution, it never would have been approved by the Senate, and our people and the people of Southeast Asia would have been spared the tragedy which has followed.

INTERFERENCE WITH CIVIL RIGHTS

The Senate resumed the consideration of the bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation and for other purposes.

Mr. ERVIN. Mr. President, I call up my amendment No. 565, and ask that it be stated by the clerk.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read the amendment, as follows:

On page 3, line 14, between the semicolon and the word "or," insert the following:

"(F) pursuing his employment by any department or agency of the United States or by any private employer engaged in interstate commerce or any activity affecting interstate commerce, or traveling to or from the place of his employment or any other place for such purpose;"

Mr. MILLER. Mr. President, earlier today, I obtained unanimous consent to modify my amendment No. 599 to incorporate the language of the amendment of the distinguished Senator from West Virginia [Mr. BYRD] which was adopted by the Senate.

I also ask unanimous consent that my amendment be modified with respect to the coverage of dependents on page 10 of my amendment, so that it will read "judicially determined dependent"; and that my amendment be further modified so that units over and above four-family units which are not federally assisted will be subject to the provisions of section 204, as long as they are required to operate under the authority of a State or local government. I ask unanimous consent for that, Mr. President.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MILLER. Mr. President, I now send to the desk a redrafted amendment to incorporate what has been agreed upon. I ask that it be printed as a star print, amendment No. 599, so that it will be on Senators' desks tomorrow morning. Also, I ask unanimous consent that it be printed in the RECORD.

Mr. BYRD of West Virginia. Mr. President, reserving the right to object, I should like the RECORD to show that the Senator from Iowa has discussed his request with the majority leader, with me, and with the Senator from Michigan [Mr. HART], and I know of no objection to the request.

Mr. MILLER. Mr. President, let me add a footnote to that.

If we do not do this, the Members of the Senate will be very confused about the amendment, I believe this will help the Senate to know what it wants to do on my amendment, and I believe it will also help the press to understand what has been done.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Iowa? The Chair hears none, and it is ordered.

The redrafted amendment is as follows:

On page 8, line 4, strike "(a)" and "subsection"; and on line 5, strike "(b) and".

Strike all on page 9 after line 4, all of page 10, and lines 1 and 2 on page 11 and insert in lieu thereof the following:

"(2) After December 31, 1968, to all dwellings covered by paragraph (1) and to all other dwellings where the prospective buyer or renter is a member or honorably discharged member of the Armed Forces of the United States, or surviving widow or surviving parent, or judicially determined dependent of a member of the Armed Forces. The Congress finds that it is necessary and proper to the health and welfare of the Armed Forces of the United States that discrimination by reason of race, color, religion, or national origin be prohibited in the sale or rental of housing as hereinabove provided.

"(3) Except as provided in subsection (2) above, the prohibitions against discrimination in the sale or rental of housing set forth in subsections 204(a), (b), (d), and (e) shall not apply in the case of any single-family house sold or rented by an owner: *Provided*, That such private individual owner does not own more than three such single-family houses at any one time: *Provided further*, That in the case of the sale of any such single-family house by a private individual owner not residing in such house at the time of such sale or who was not the most recent resident of such house prior to such sale, the exemption granted by this subsection shall apply only with respect to one such sale within any twenty-four month period: *Provided further*, That such bona fide private individual owner does not own any interest in, nor is there owned or reserved on his behalf, under any express or voluntary agreement, title to or any right to all or a portion of the proceeds from the sale or rental of, more than three such single-family houses at any one time. Nor, except as provided in subsection (2) above, shall such prohibitions apply in the case of the sale or rental by an owner of rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other: *Provided*, That in the case of dwellings covered by subsection (1) the owner occupies one of such living quarters as his residence. Nor, except as pro-

vided in subsection (2) above, shall such prohibitions apply in the case of the sale or rental of rooms or units in a dwelling containing living quarters occupied or intended to be occupied by more than four families living independently of each other when said dwelling is not required to be authorized to operate under a state or local law: *Provided*, That this exception shall not apply in the case of dwellings covered by subsection (1)."

On page 11, line 5, strike "section 203(b) and" and insert in lieu thereof the word "section".

On page 12, add the following after line 7: "(e) After December 31, 1968, in the case of all dwellings other than those made applicable by section 203(1), except as exempted by section 207, it shall be unlawful to make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement affecting interstate commerce with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, or national origin, or an intention to make any such preference, limitation, or discrimination."

On page 12, strike all after the word "given" on line 25 and on page 13 all of lines 1 and 2 and insert in lieu thereof a period (.) .

On page 13, strike lines 5 through 12 and insert in lieu thereof the following:

"Sec. 206. Upon the date of enactment of this Act with respect to all dwellings described in section 203, and after December 31, 1968, with respect to all other dwellings, it shall be unlawful—

"(a) for any person licensed as a real estate broker or salesman, attorney, or auctioneer, or any agent or representative by power of attorney, or any person acting under court order, deed of trust, or will—

"(1) to refuse to sell or rent, negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, or national origin;

"(2) to discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, or national origin;

"(3) to make, print, or publish, or cause to be made, printed, or published any oral or written notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, or national origin, or an intention to make any such preference, limitation, or discrimination; or

"(4) to represent to any person because of race, color, religion, or national origin that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.

"(b) to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, or national origin.

"(c) to deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against him in the terms or conditions of such access, membership, or participation, on account of race, color, religion, or national origin."

that statements made therein be limited to 3 minutes. I ask unanimous consent, further, that the time not be charged against either side on the bill.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

REPORT ON REAPPORTIONMENT OF APPROPRIATIONS

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriations of various departments, for the fiscal year 1968, had been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriations; to the Committee on Appropriations.

OPPOSITION OF JUDICIAL CONFERENCE TO S. 916

A letter from the Director, Administrative Office of the U.S. Courts, conveying the opposition of the Judicial Conference to S. 916, which would remove from court control the supervision of persons on probation (with an accompanying paper); to the Committee on the Judiciary.

PETITION

The PRESIDING OFFICER laid before the Senate a resolution of the Senate of the State of Maryland, expressing support of U.S. Armed Forces personnel stationed throughout the world, which was referred to the Committee on Armed Services, as follows:

SENATE RESOLUTION 42

Senate resolution requesting the Senate to express support of U.S. Armed Forces personnel stationed throughout the world

Whereas, There are over one million American Armed Forces Personnel stationed on the frontiers of freedom throughout the world; and

Whereas, The various duty stations of our fighting men range from the steamy jungles of Southeast Asia to lonely research outposts deep in frozen Antarctica; and

Whereas, These are most difficult times in international relations requiring an inordinately high level of sacrifice from our fighting men and their families; now, therefore, be it

Resolved by the Senate of Maryland, That it is the sense of this body to express their support of United States Armed Forces personnel stationed throughout the world; and be it further

Resolved, That copies of this Resolution be sent to the President of the United States, the President of the United States Senate, the Speaker of the U.S. House of Representatives, and to the Maryland Delegation in Congress.

By the Senate, February 19, 1968.

Read and adopted.

By order, J. Waters Parrish, Secretary.

WILLIAM S. JAMES,

President of the Senate.

J. WATERS PARRISH,
Secretary of the Senate.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. BARTLETT, from the Committee on Commerce, without amendment:

S. 3030. A bill to amend section 3 of the act of November 2, 1966, relating to the development by the Secretary of the Interior of fish protein concentrate (Rept. No. 1013).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HOLLAND:

S. 3109. A bill for the relief of Ann Su Gibson; to the Committee on the Judiciary.

By Mr. JAVITS:

S. 3110. A bill to amend section 1811 of title 38, United States Code, so as to authorize the Administrator of Veterans' Affairs to make direct loans for housing under such section in certain urban areas whenever private capital is not available for such purpose; to the Committee on Banking and Currency.

S. 3111. A bill to amend chapter 37 of title 38, United States Code, in order to provide counseling and technical assistance to veterans eligible for home and business loans under such chapter, and for other purposes; and

S. 3112. A bill to amend section 1675 of title 38, United States Code, in order to authorize the Administrator of Veterans' Affairs to waive the requirement that a course of training must have been in operation for 2 years or more by an educational institution before such course may be approved for the enrollment of eligible veterans; to the Committee on Labor and Public Welfare.

By Mr. INOUE:

S. 3113. A bill for the relief of Wong Kwai Fat; and

S. 3114. A bill for the relief of Yu Hsiao Kun; to the Committee on the Judiciary.

By Mr. HARRIS (for himself and Mr. MONRONEY):

S. 3115. A bill to authorize the Secretary of Agriculture to establish the Robert S. Kerr Memorial Arboretum and Nature Center in the Ouachita National Forest in Oklahoma, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. HARRIS when he introduced the above bill, which appear under a separate heading.)

By Mr. LONG of Louisiana:

S. 3116. A bill to authorize a high-level bridge over Bayou Barataria, La.; to the Committee on Public Works.

By Mr. LONG of Louisiana (for himself and Mr. ELLENDER):

S. 3117. A bill authorizing construction of certain navigation channel improvements on the Mississippi River-Gulf outlet channel in Louisiana; to the Committee on Public Works.

S. 3115—INTRODUCTION OF BILL TO ESTABLISH THE ROBERT S. KERR MEMORIAL ARBORETUM AND NATURE CENTER, OKLAHOMA

Mr. HARRIS. Mr. President, I introduce for myself and my distinguished colleague, Mr. MONRONEY, a bill to authorize the Secretary of Agriculture to establish the Robert S. Kerr Memorial Arboretum and Nature Center in the Ouachita National Forest in southeastern Oklahoma.

Mr. President, the proposed Robert S. Kerr Memorial Arboretum and Nature Center is a major facility in the recreation complex being developed in the Ouachita National Forest in LeFlore County, Okla. Access to this scenic area of southeastern Oklahoma and southwestern Arkansas is over the 55-mile-long Talimena Scenic Drive. The Tali-

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that there be a brief period for the transaction of routine morning business and

mena Scenic Drive is a public land highway fully financed and soon to be completed. The drive is a new forest recreation highway authorized and constructed to further the development of the full potential of these public lands in order to help meet the ever-increasing demand for a better understanding of nature and for some outdoor recreation opportunities.

As you know, Mr. President, the late Senator Robert S. Kerr, of Oklahoma, throughout his public service career promoted the full development and utilization of our Nation's natural resources. He once said:

A nation preserved as God gave it to us, what more can man ask from life.

The establishment of a memorial arboretum as proposed in the legislation I introduce today will certainly preserve a portion of southeastern Oklahoma as God gave it to us and will make it more accessible to the general public for a better understanding of nature and for better recreational opportunities.

There is a tremendous interest in and support of the proposed Robert S. Kerr Memorial Arboretum in both Oklahoma and Arkansas. Agencies of the two States have contributed substantially to the development of the project.

Local citizens and foundations have indicated their willingness to make substantial contributions to the development of the arboretum and the U.S. Forest Service has indicated a willingness to accept responsibility for the design, construction specifications and operation of the project.

Mr. President, there are at present no existing nature centers in mid-America. There is an urgent need in this area for the outdoor laboratories that will be provided by the Robert S. Kerr Memorial Arboretum and Nature Center. The estimated social and economic benefits of a center of this kind are: First, over 40,000 school-age children will use the facility as an educational center each year; second, yearly visits will total about 350,000; third, visitor dollars added to the local economy will amount to more than \$2,500,000 annually; fourth, direct returns to the arboretum will total about \$82,500 annually—25 cents entrance fee for those 12 years old and up.

A suitable site has been selected for the arboretum and nature center, located on a 350-acre tract of national forest land adjacent to the Talimena Scenic Drive, just east of U.S. Highway 259, in LeFlore County, Okla.

The total development plan required includes the building complex—office, amphitheater, classroom, display area, maintenance work center, and so forth—trails, roads, parking areas, complete landscaping, planting to show native vegetation, demonstration areas, exhibits, 30-acre impoundment, and picnic facilities.

The legislation I introduce here today is needed to authorize the project and to provide the U.S. Department of Agriculture, and the National Forest Service the authority to receive and expend private capital in the development of the arboretum. The construction and development of this project has high priority

in the total development of the Ouachita National Forest. The National Forest Service is responsible for all the recreational activities within the Ouachita National Forest and they have the professional competency required to complete this project as soon as adequate funds are made available.

This arboretum will certainly pay tribute to an outstanding American, the late Senator Robert S. Kerr, and the passage of this authorizing legislation certainly deserves the expeditious attention of the Congress.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3115) to authorize the Secretary of Agriculture to establish the Robert S. Kerr Memorial Arboretum and Nature Center in the Ouachita National Forest in Oklahoma, and for other purposes, introduced by Mr. HARRIS (for himself and Mr. MONROE), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

AMENDMENT OF TITLE 38, UNITED STATES CODE, TO INCREASE THE AMOUNT OF HOME LOAN GUARANTEE ENTITLEMENT—AMENDMENTS

AMENDMENTS NOS. 601 AND 602

Mr. JAVITS submitted two amendments, intended to be proposed by him, to the bill (S. 2937) to amend title 38 of the United States Code to increase the amount of home loan guarantee entitlement from \$7,500 to \$10,000, and for other purposes, which were referred to the Committee on Labor and Public Welfare and ordered to be printed.

VETERANS IN PUBLIC SERVICE ACT OF 1968—AMENDMENT

AMENDMENT NO. 603

Mr. JAVITS submitted an amendment, intended to be proposed by him, to the bill (S. 2910) to provide special encouragement to veterans to pursue a public service career in deprived areas, which was referred to the Committee on Labor and Public Welfare and ordered to be printed.

ELIMINATION OF RESERVE REQUIREMENTS FOR FEDERAL RESERVE NOTES—AMENDMENT

AMENDMENT NO. 604

Mr. TOWER (for himself, Mr. HICKENLOOPER, and Mr. DOMINICK) submitted an amendment, in the nature of a substitute, intended to be proposed by them, jointly, to the bill (S. 2857) to eliminate the reserve requirements for Federal Reserve notes and for U.S. notes and Treasury notes of 1890, which was ordered to lie on the table and to be printed.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, March 7, 1968, he presented to the President of the United States the enrolled bill (S. 2419) to

amend the Merchant Marine Act, 1936, with respect to the development of cargo containing vessels, and for other purposes.

NEW BISHOP IN EASTERN MONTANA

Mr. MANSFIELD. Mr. President, earlier this year the Most Reverend Eldon Bernard Schuster was installed as the new bishop of the eastern Montana Catholic diocese of Great Falls. Bishop Schuster is a native of Montana and will make a fine contribution in this sacred office.

His responsibilities are great, and I am convinced that no better choice could have been made. The eastern Montana diocese is the newer of the two in Montana. The administrative problems associated with a diocese this large are many, but I am confident that Bishop Schuster will have no difficulty in guiding his people in their spiritual needs.

Mr. President, I ask unanimous consent to have printed in the RECORD a feature story highlighting Bishop Schuster's career, published in the Montana Catholic Register of January 24, 1968.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEW BISHOP REARED IN RURAL MONTANA—HAS WEALTH OF DIOCESAN EXPERIENCE

The home of John F. and Leona Osborn Schuster was filled with joy March 10, 1911, in Calio, N. Dak., for God had given them a son whom they named Eldon Bernard.

It was less than a year later that the deeply religious couple and their young son moved to Glentana, Mont. Here, in this rural, northern Montana community, the future Fourth Bishop of the Diocese of Great Falls spent his boyhood.

There was work to do on the family farm as well as in the family store and, under his father's firm but loving direction, young Eldon performed his share of chores, learning the true value of labor.

But what is even more important was the piety of his devoted parents which provided him with love of God and Church and gave direction to his vocation.

His early schooling in religion, in addition to that received from his parents, was through the program of the Confraternity of Christian Doctrine in which he has labored continuously ever since.

He completed his elementary school training in Glentana and entered high school in North Dakota. After his first year in North Dakota, he was enrolled in Glasgow High School.

Eldon Bernard Schuster was a good student but he did not limit his activities strictly to books. He participated in forensics, drama, music and was a member of the Glasgow Scotties track team.

On the day of his consecration—Dec. 21, 1961, as Auxiliary Bishop of the Eastern Montana diocese, Bishop Schuster said: "How can I thank God sufficiently for the pious and devoted parents He has given me! To them more than any other after God and Mary I owe my vocation and priesthood."

"My saintly father, who served my First Mass, has been much in my prayers and thoughts this day. That God has granted him a place of light and refreshment after his earthly labors is my daily prayer."

"Thanks be to God for sparing my dear mother to share in the happiness of this day. Her faith, intense loyalty to Mother Church, and zealous example have played no small

part in forming the ideals and inspiration of my priestly life."

Upon completion of high school in Glasgow, his desire was to be a priest. The then Eastern Montana Bishop, the Most Rev. Mathias C. Lenihan, whom he had known from boyhood, sent him to Loras college in Dubuque, Iowa.

Bishop Lenihan's faith in the youth was well placed and he completed his studies at Loras summa cum laude and was assigned by Bishop Edwin V. O'Hara to continue his studies for the priesthood at the Theological college in Washington, D.C., and he received a master's degree before leaving the college.

During his summer vacations from the seminary, he taught religious schools at Boyce, Avondale, Glentana, Peerless, White-tail, Outlook and Welliver—providing insight into many of the rural religious problems with which he was to become familiar in the far-flung diocese.

He became a subdeacon in 1936 while at Washington, D.C., and, May 27, 1937, was ordained a priest by Bishop O'Hara at St. Ann's Cathedral in Great Falls.

Father Eldon B. Schuster celebrated his first Solemn High Mass in the humble church of his home parish—Holy Family—in Glentana June 1, 1937.

Among his first assignments as a priest, Father Schuster was named editor of *The Register*, Eastern Montana Edition, a post he held until enrolling at Oxford university in England in 1938. He also was assistant diocesan spiritual director for the CYC.

His studies at Oxford were cut short when the university halted general classes at the outbreak of World War II.

On his return to Great Falls in September, 1939, Father Schuster was named assistant at St. Ann's Cathedral and an instructor at St. Mary's high school, later to be relocated and renamed Central Catholic high school.

In August, 1940, he was appointed vice chancellor of the diocese by the Most Rev. William J. Condon, who had been named Bishop of Great Falls a year earlier. Father Schuster also became secretary to Bishop Condon at the same time.

In 1943, he was named administrator of St. Ann's and during that year became moderator for the Diocesan Council of Catholic Women.

In 1946, Father Schuster was appointed by Bishop Condon as the first Diocesan Superintendent of Schools, a post he held, among others, until his most recent appointment as Bishop.

Following the school assignment, he was granted a leave of absence to study at St. Louis university where he completed his course requirements for a doctorate degree in education.

He was named chancellor of the diocese on his return from St. Louis, and served in this capacity for about two years. Additionally, Father Schuster had temporary assignments at the Immaculate Conception parish in Fort Benton, St. Joseph's hospital in Lewistown, and also carried out the responsibilities of the growing diocesan educational system.

As his responsibilities grew, so also did his religious stature. In August, 1949, it was announced that Father Schuster was to become a Domestic Prelate with the title of Right Reverend Monsignor. His investiture as Prelate was held Nov. 9, 1949, at St. Ann's Cathedral.

The following year Monsignor Schuster was again named administrator at the Cathedral and in 1952 he served as chairman of the CCD congress.

In 1953, a diocesan-wide drive for funds was launched as Eastern Montana prepared for the golden jubilee of the diocese, to be held in 1954. Monsignor Schuster was chairman of the fund drive and carried it to a successful conclusion.

The drive was a crucial one for the diocese and it was noted at the time that funds were needed to wipe out old parish debts, to build parish churches, schools, convents, rectories and generally improve parish property throughout eastern Montana.

With the completion of this task, Monsignor Schuster was named chairman of events surrounding the 1954 jubilee observance, one of the most extensive religious programs ever held in Montana.

For portions of 1953 and 1954, Monsignor Schuster was administrator of St. Joseph's parish in Great Falls, but returned to his full-time post as school superintendent in July of 1954.

During the next five years his religious and administrative duties continued to mount as the diocesan population increased. For two months, of 1959, however, he was given the opportunity to visit Rome and other historic and religious places in Europe.

In 1960, he was appointed pastor at Holy Family parish in Great Falls and supervised the building of expanded parish facilities there along with a new elementary school.

Earlier he had served in similar capacities during the building of St. Joseph's elementary school in West Great Falls, and during the construction of Central high school.

During this period, Monsignor Schuster was a trustee at the College of Great Falls, moderator for the Diocesan Council of Catholic Women and Diocesan Chaplain for the Catholic Boy Scouts.

Thus his activities gave him an insight into virtually every facet of Catholic life in the diocese and it was with this background in mind and with high recommendation from Bishop Condon, that Pope John XXIII named Monsignor Schuster as Titular Bishop of Amblada and Auxiliary Bishop of Great Falls. He was consecrated Dec. 21, 1961, the first auxiliary ever to serve in Montana.

In 1963, with Bishop Condon, he attended the opening sessions of the historic Second Vatican Council in Rome and during the Council had the signal honor of an audience with Pope John.

In May, 1963, 26 years after he was ordained to the priesthood, he presided at his first ordination ceremony, conferring the dignity of the priesthood on Father Robert Bofko.

On the death of Bishop Condon Aug. 17, 1967, Bishop Schuster was named administrator of the diocese and acted in this capacity until the announcement Dec. 6, 1967, naming him the fourth Bishop of the eastern Montana diocese.

Announcement of the Pope's directive naming him Bishop, was made in Washington, D.C., by the Papal Delegate to the United States, Archbishop Luigi Raimondi. Archbishop Raimondi presided, Jan. 23, 1968, during the installation Mass for Bishop Schuster.

ANNIVERSARY OF BIRTH OF THOMAS MASARYK

Mr. HRUSKA. Mr. President, today, March 7, is the anniversary of the birth in 1850 of Thomas Garrigue Masaryk, the philosopher, Czechoslovak patriot and first President of Czechoslovakia, which was founded 50 years ago.

Americans of many national origins join on this day in tribute to this great humanitarian who led the Czechs and Slovaks in the years of World War I, who founded the Czechoslovak Republic and served as its first President, from 1918 to 1935. When he retired, the title, President-Liberator, was conferred upon him.

While Masaryk will be honored around the world this day, Mr. President, it is a cruel irony that in his own country it is

forbidden to celebrate the memory and greatness of the man of whom biographer Emil Ludwig wrote:

Abraham Lincoln is about the only historical figure with whom I can compare him.

Eighteen years ago this week, on the occasion of the centennial of Masaryk's birth, it was my privilege to speak in Omaha, Nebr., at a ceremony commemorating this event. I ask unanimous consent, Mr. President, that those remarks, entitled, "Masaryk, Servant of the People," be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

MASARYK—SERVANT OF THE PEOPLE

(Remarks of ROMAN L. HRUSKA at observation of centennial of Masaryk's birth, in Sokol Auditorium, Omaha, on March 12, 1950)

There are many reasons why we admire and honor Thomas Garrigue Masaryk. The fact that he married an American—a very accomplished and brilliant woman—has always appealed to us. There naturally followed a deep admiration for the country of his wife and a faithful study of its language and history, so that Masaryk's knowledge of our country became wide and accurate. He visited in America four times between 1878 and 1918.

Again, when it came time for him to proclaim the independence of his native land, he did so in Independence Hall in Philadelphia. By that time he had gained many personal friends among Americans, not the least of whom was Woodrow Wilson, a fellow-professor, a fellow-philosopher, and later a fellow-president.

Another thing which makes him stand so well with us is the fact that he won so high a place in the world and in the judgments of men even though he was of lowly origin and had so many obstacles to overcome. His parents were serfs, you know; slaves. His father was a coachman, his mother a cook, on an imperial estate. He himself was apprenticed to the village blacksmith and learned that trade, a fact of which he remained proud throughout his life. From such a beginning he rose to what author John Gunther called "the finest intellect of the century." He performed wonders as a leader of men, as an educator, and as a statesman, retaining all the while full integrity and self-respect, as well as the respect of all who knew him.

His inborn quality of character and personality first asserted itself in a larger way when he started teaching. He refused to adopt the traditional professorial officiousness and stand-offishness of his time. He treated his pupils openly and squarely, analyzed their problems frankly and fearlessly. This seems ordinary and expected now, but was revolutionary in 1880. It was not long before he became the trusted leader of the youth of his universities and of his country, and not much later that he was the trusted leader of central Europe. His writings were in philosophy and government. They extended over almost half a century, starting in 1881.

But he did not limit himself to the theoretical and academic. He served a total of 12 years in the Austrian Parliament, being first elected in 1891. He took an active part in its deliberations, contending for political improvement of his country and vigorously advocating political autonomy for it. It was as a member of parliament and as a journalist that he became widely and favorably known for his courage and his abilities as a leader and organizer. Three outstanding instances of this are of record as noteworthy.

The first had to do with the "Königshofer Manuscript", which was supposed to have

mediaeval origin, although not discovered until about 1800 in the steeple of an old village church. Certain claims of Czech national destiny and history were made on the basis of this document, and it was highly hailed in the program of nationalistic revival then so current. Masaryk, after a thorough study of the document, subscribed to the position that it was a forgery. He was sympathetic to nationalist revival, but was convinced that it should rest on true and firm ground rather than upon fabrication. His declaration of the forgery was a severe blow to the pride of his countrymen. He was severely ostracized, and completely disowned by many as a traitor. Later years, however, completely bore out the validity of his judgment.

The second example was his defense of a Jewish youth named Hilsner who was charged before the courts of a ritual murder. Masaryk never met the accused, never came to know him, but it was important to him that the man had been wrongfully accused and was in danger of being found guilty as a result of false trial and hysteria. Masaryk was accused of having been bribed by Rothschild, his resignation from the faculty was demanded by his fellow professors, the clergy, and public officials; his children were insulted and maltreated on the streets. The number of friends who stayed with him as he held his ground was small, but the ground on which they stood was solid.

The third example was in Parliament, when 53 Croats and Serbs were charged with high treason after the annexation of Bosnia by the Austrian government—one of the fateful steps which precipitated World War I. The prosecution based much of its case on certain documents which Masaryk was able to prove not only were forged, but were the result of connivance of members of the Austrian cabinet. The prosecution failed, Masaryk's career in Parliament was ruined, but his position in central Europe and in the world became entrenched. He became regarded as a stalwart champion of truth and justice for their own sake. He was recognized as a power and personality of versatile talents and knowledge, and unquestioned integrity. He made friends the world over, an asset that became highly useful to him in after years.

Thus, at the age of 60 years, he had gained worldwide standing as a scholar, philosopher, educator, and statesman. It was about that time he was the honored guest at a testimonial dinner, given with the idea that he had reached the apex of his career! Four years later—at the age of 64—he flung all of his strength, energies, and vitality into the battle for his country's independence and freedom. There followed four years of intrigue, plotting, espionage, conspiracies and travels that took him back and forth across Europe, and around the world. Without government treasure of any kind, without the prestige of a country to back him up, he accomplished wonders with only a few loyal friends in exile with him. Implicit faith of his countrymen at home and abroad was his. But the chief factor throughout was his sheer force of personality, his untiring efforts, and his unbounded faith. And if he were here to suggest it, he would add at this point that he also had Eduard Benes, without whom the task and success would not have been achieved.

Masaryk conceived and led one of the most amazing mass expeditions of modern times, when the Czechoslovak legions traveled 10,000 miles across Siberia to the Pacific to join the fighting on the Franco-German front. He had built up about 40,000 troops from among Czechoslovak nationals, many being deserters from the Austrian army. They had assembled in southern Russia, with the idea of sending them to the western front. But the fall of the Czar and unsettled conditions in Russia made it impossible except to go around the world—and that is

what they did, displaying a fortitude and a daring which captured the imagination of the world!

There are many things in this heroic life which would readily lead us to hail it as a great one. A close and sentimental tie with Czechoslovakia, such as that held by its natives or their descendants, might tend to a partial or emotional judgment. What then is the appraisal of those who have no born or inherited sympathies in that direction?

John Gunther, journalist and author of wide experience, wrote in his book "Inside Europe":

"Masaryk—what grandeur the name connotes! The son of a serf who created a nation; the blacksmith boy who grew to have 'the finest intellect of the century'; the pacifist who organized an army that performed a feat unparalleled in military annals—the Czechoslovak legions who marched across Siberia to the Pacific; the philosopher who became a statesman in spite of himself; the living father of a state who is also its simplest citizen; an unchallengeably firm democrat who in the debacle of the modern world still believed in the rule by tolerance; the man who more than any other smashed the old Austro-Hungarian empire so that Czechoslovakia, a free Republic, rose from its ruins—the stables, strongest, and most prosperous of the succession states."

This is the considered statement of a man who by profession and training would normally tend to be cynical, but who instead is enthusiastic.

Emil Ludwig, the eminent and distinguished biographer, is widely known for his biographies of Napoleon and Bismarck and his works on many other great men in history. "Servant of the People" which is the title chosen for my part in the afternoon's program, is Ludwig's classification of Masaryk, as distinguished from "Ruler of the People" and other designations which Ludwig sometimes used. He wrote:

"Abraham Lincoln is about the only historical figure with whom I can compare him (Masaryk). Both rose to presidential rank from the common people. . . . Each worked his way upwards from the ranks of the people through consciousness of moral rectitude which no opponent ever called into question. . . ."

Does Masaryk really merit the high place we give him as a brilliant mind and intellect? Ludwig thought so. He wrote that Masaryk's acquaintance with ethnic, statistical, historical and cultural questions was infinitely superior to that of the Ministers of the Allies interested in post World War I peace. He wrote:

"In contrast to those English Ministers who knew no language but their own and had never traveled, and (in contrast with) the French who are an incurably stay-at-home people, and the Americans who see Europe in the bulk as if it were a mere antheap of nations, (in contrast with all these) stood this single individual who knew the national statistics and data, the customs and literature, the general character and institutions of the various nations and could elucidate them all in their respective languages!"

Over and above all this, said Ludwig, stood his high personal qualities and experience which served to persuade men to listen to what he had to say and to finally bring them around to his point of view.

"The confidence which he universally instilled, his journalistic experience, his absolute integrity and the entire absence of any spirit of ambition or self-seeking—all these imponderabilia constituted a leading factor of his success. . . ."

Sometimes we are tempted to speculate as to the course of affairs leading to the Treaty of Versailles had Masaryk been allowed to participate in the deliberations. And similarly, if Eduard Benes had been in attend-

ance 20 years later in pre-Munich conferences. Is it not reasonable to believe that in both instances, the true implications and import of many proposals would have been made clear in ample time so that many of the mistakes made could have been avoided?

CIVIL DISORDER REPORT A WHITE-WASH

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD a column entitled "Civil Disorder Report a Whitewash," written by James J. Kilpatrick, and published in the Washington Evening Star of today.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

CIVIL DISORDER REPORT A WHITEWASH (By James J. Kilpatrick)

Forgive me if I come as late as Lyndon Johnson to the Report of the President's Advisory Commission on Civil Disorders. The report ran to six volumes and 250,000 words. There was some obligation to plow through most of it before sounding off.

The report makes some excellent points. It is especially effective in its analysis of Negro housing problems, and it rightly points to the gross errors of urban renewal as a key factor in a bad situation. The commission's harsh indictment of police and Guardsmen is fully deserved, and the report's warning against "over-reaction" this summer is immensely useful. Several recommendations for improved communication between black and white make obvious sense.

When that has been said, it remains to be said that the report, viewed as a whole, is woefully unbalanced. Most of the major recommendations are unrealistic; some of them—for example, that the minimum wage be further increased—are misguided. And sad to say, in its long review of the 1967 riots, the commission has come up with the greatest whitewash job since Tom Sawyer laid aside his brush.

From this report, it appears that everyone was to blame for the riots—everyone, that is, but the rioters themselves. It is unbelievable. They appear in the narrative portions of the report as faceless agents of a passive mood: Rocks were hurled, bottles were thrown. Elsewhere, the report falls into sociological thumb-sucking: Society had failed to teach the rioters how to read, so they looted TV sets instead. At every point, the commission's tendency is to rationalize, to excuse, to defend.

Government programs were to blame; these did not reach the people. Judges were to blame; they did not protect the looters' constitutional rights. Police were to blame; they were disrespectful. The press was to blame; it failed to understand. Above all, "white racism is essentially responsible" for the ghetto conditions that provoked the fearful violence.

It is thus "white racism" that is responsible for what the commission terms its basic conclusion, that "our nation is moving toward two societies, one black, one white—separate and unequal." This basic conclusion is basically false. For the past 30 years, our nation has not been moving toward a separate society, but away from it; and if this movement toward an integrated, multiracial society recently has been slowed, it is at least partly because of the "black racism" that manifests itself in a bloody cry for apartheid in reverse: "Kill Whites!"

You would catch no hint of this from the commission's report. When the commission speaks to the black racists, it speaks in the barest murmur of disapproval. They pro-

vided "an ugly background noise." The advocates of black power "unconsciously function as an accommodation to white racism." That is about the size of it.

The Negro, it is said, wants to walk alone. Splendid. But what is the commission's answer? It is to recommend new crutches. Welfare recipients are aggrieved by regulations which operate "to remind recipients that they are considered untrustworthy, promiscuous and lazy." It is an understandable grievance. What does the commission propose? It proposes a guaranteed annual income, higher rent supplements, make-work jobs, and a proliferation of easier handouts.

Of the Negro's responsibility for his own destiny there is scarcely a word. It is someone else's responsibility—private industry, public institutions, mostly the federal government. Most of the answers are to come from outside the ghetto, from builders, bankers, planners, lawmakers. The commission avoided price tags, but most estimates are that the federal proposals alone would cost \$150 billion over the next five years. Where is the money coming from? Who could spend it wisely? Would the recommended programs change white attitudes—or black?

God knows white society has its faults, and blind racial prejudice is among them. But it is an enormous disservice for this prestigious commission to proclaim that the ghetto's miseries are all the white man's doing. When one inquires why the city is burning, it ought not to be amiss to direct a few questions at the man with the torch in his hand.

PROPOSAL TO EUROPEANIZE NATO

Mr. CHURCH. Mr. President, in May of 1966, at the request of the chairman of the Committee on Foreign Relations, I visited Western Europe and talked with government leaders and knowledgeable observers in France, Germany, Belgium, and the United Kingdom. In the report I issued at the conclusion of my trip, entitled "Europe Today," I made a number of recommendations including suggesting that a number of specific steps be taken to Europeanize NATO.

One of the steps that I suggested was moving the military committee out of the Pentagon and relocating it in Europe in close proximity to SHAPE and the North Atlantic Council. I am happy to say that this action has been taken and that the military committee is now located in Brussels. Another step that I suggested was appointing a European general to serve as NATO's Supreme Allied Commander, provided that a command arrangement was maintained which would leave control of nuclear weapons in the hands of the President of the United States. That step, unhappily in my view, has not yet been taken.

Mr. C. L. Sulzberger, the distinguished New York Times columnist, has written a most interesting column on the subject of appointing a European to be the Supreme Allied Commander. Mr. Sulzberger has echoed my recommendation that NATO's next Supreme Commander be a European and has suggested, specifically, that he be British. In his column, he also reported the views of General Norstad, a former NATO Supreme Commander, on the subject of appointing a European to this position. It is General Norstad's view, as reported by Mr. Sulzberger, that perhaps an American Secretary General of NATO might be traded for the Supreme Commander's spot

which would result in NATO assuming a less American look.

I ask unanimous consent that the article, entitled "Foreign Affairs: An Alliance Package," written by C. L. Sulzberger, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Feb. 18, 1968]

FOREIGN AFFAIRS: ALLIANCE PACKAGE

(By C. L. Sulzberger)

LONDON.—It is highly desirable that NATO's next Supreme Commander should be British, provided that adequate assurances are given by the United States of its intention to continue a military presence in Europe betokening an ultimate nuclear guarantee.

The idea of giving the alliance its first non-American commander should be examined now. Otherwise, the moment for change will find everyone unprepared. General Lemnitzer, NATO's top officer, will be seventy next year. He has held the post since 1963 and obviously must soon be replaced.

THE END OF ERA

The era of glamorous World War II heroes will then end. He is the last of a famous generation that started at SHAPE headquarters with Eisenhower. Now a new phase inevitably begins. Britain's shrinking forces are well supplied with tactful, diplomatic senior officers who have served around the world.

I broached this subject tentatively in a column Jan. 24 which provoked an interested response from Gen. Lauris Norstad who, while he commanded NATO, was described by Alastair Buchan, the outstanding British military analyst, as "undoubtedly the most trusted figure in Western Europe."

On Feb. 6 Norstad wrote Walden Moore, director of the Declaration of Atlantic Unity: "On the specific idea of a European Supreme Commander, I commented that I thought this idea was now, as always, a possibility provided (a) that NATO would solve the difficult problem of control of the nuclear weapons available to it and (b) the Europeans could agree among themselves on the nation to provide the Supreme Commander and on the individual himself. . . .

"By process of elimination, the European Supreme Commander would almost have to be British and [I] expressed the hope that the U.K. had some top military figures from the present group who would have the stature needed for the job or could acquire it quickly."

Norstad concluded that these conditions haven't yet been met and it is therefore likely "an American will remain in the Supreme Commander's position by election of our European allies unless we can establish an American individual in the political area as a guarantor of full U.S. participation and commitment to NATO. Perhaps an American Secretary General might be traded for the Supreme Commander spot."

The latter suggestion is wise. The two crucial problems that must be solved are reassurance on continued U.S. support and nuclear protection. If both questions are adequately answered, there is much to be said for a switch in the nationalities of alliance leadership.

Secretary General Manlio Brosio, NATO's civilian boss, will be ready to step down at approximately the same time as Lemnitzer. Brosio, a distinguished Italian diplomat, became Secretary General in 1964 and is now over seventy.

It is thus convenient to contemplate the kind of switch Norstad suggests but the groundwork must be carefully prepared. Next spring it becomes legally possible for members to announce their intention of denounc-

ing the alliance and it is not known whether France will avail itself of the right.

PAST PRACTICE

In the past it has been custom to almost automatically request the U.S. President to nominate a new military commander and each selection has been accepted without demur. It would be necessary for the partners to agree in advance of Lemnitzer's retirement that a European military chief is desirable—and it is obvious only an English officer would be acceptable at this juncture.

At the same time the U.S.A. should repeat its promise to keep forces in Europe and to accord the whole alliance area its total protection. Such a statement might be made at the time an American was offered as the next commander's deputy. This would assure retention of the nuclear umbrella without violating any Congressional restrictions.

To add weight to its NATO policy, Washington might let it be known that for the first time it would be willing to offer a distinguished American candidate for Secretary General when Brosio goes. Surely such a package deal, if smoothly prepared, could accomplish several useful goals at a critical moment for the alliance.

NEW RESPONSIBILITIES

Britain, which is accelerating military withdrawal from Asia, could stress its determination to pursue an increasingly "European" policy, thus pleasing the Common Market by accepting precise new military responsibilities. The United States could emphasize its desire to develop NATO's diplomatic potential by proposing an American Secretary General.

The alliance would thereby assume a less "American" look while Britain would have a chance to demonstrate the vigor of its proclaimed "European" intentions.

FLORIDA EDITOR AND PUBLISHER SELLS THE HIGHLANDER

Mr. MANSFIELD. Mr. President, for more than 20 years the Highlander, a newspaper published at Lake Wales, Fla., has been published by a good friend and University of Montana classmate, Bob Lodmell.

The Highlander has been a very successful newspaper and has contributed a great deal to this part of Florida. Because of a recent heart attack, Bob Lodmell has had to reduce his workload, and he and his wife have decided to limit their activities to less demanding tasks in the news business.

I was very sorry to learn of the sale of the newspaper, but I am delighted that he will continue his association under the new editorship of John E. Marsh, Jr.

Mr. President, I ask unanimous consent to have printed in the RECORD two articles published in the Highlander of February 1, 1968.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

SOLD TO JOHN MARSH

The Lake Wales Daily and Sunday Highlander, after more than 20 years of ownership by Mr. and Mrs. Robert O. Lodmell, was sold Thursday to The Lake Wales Publishing Co., an independent corporation.

John E. Marsh, Jr., a Florida resident since 1947, is editor, publisher and general manager of the newspaper effective today.

"I first met Marsh last February and I'm convinced he will be an asset to the newspaper and Lake Wales," Lodmell said. "I have every confidence in his ability and wish him every success."

Marsh said he was glad to have Lodmell's support and, "Lake Wales is an ideal community to me and I look forward to helping in every way I can to help the area grow and be prosperous."

Marsh is the major stockholder in the new company. The only other stockholders are Lodmell and his wife, Mrs. Julia Ann Lodmell.

Marsh said he expects to make many improvements in the daily newspaper, especially in news coverage and advertising services. Improvements in the physical plant are scheduled also.

"But these changes cannot take place immediately," Marsh said. "I hope to spend most of my time during the next few weeks meeting the people of Lake Wales. By the end of February there should be some improvements in the content of the newspaper," Marsh said.

"No personnel changes are planned," Marsh said.

Mr. and Mrs. Lodmell will continue to be employed by the new owner and he will also write a column with independent views.

Sale price for the newspaper was not announced.

Born in Texas, Marsh was educated at a Connecticut prep school and Northwestern University. He moved to Clearwater, Fla., in 1947 with his parents.

His newspaper experience has been varied, but most of his training has been in the news and editorial departments.

He has worked for daily newspapers in Baytown, Texas; Alexandria, La.; Greensboro, N.C., and most recently, Orlando, Fla., where his family is now.

His family will join him in Lake Wales in June when school ends for summer vacation. They are members of the Episcopal Church.

(By Bob Lodmell)

Just as Ed Chandley was selective in choosing me as his successor as editor and publisher of *The Highlander* over 20 years ago, so have I been selective in choosing my successor—John E. Marsh, Jr.

At the time Ed sold *The Highlander* to me, he had a higher offer from a newspaper chain, but he wanted *The Highlander* to remain a home-town newspaper, operated by people who would be part of the community. And so it was with me.

In selling *The Highlander* to John, I am bringing to Lake Wales a young man (29) who attended the Medill School of Journalism at Northwestern University and has several years of practical newspaper experience. He comes from a newspaper family.

At the end of the school term, John's wife and three children will move here from Orlando. The Marsh family will become a part of the community, taking an interest in our schools, churches, clubs and local affairs.

During the past few years, much of my time has been taken up with saying "no" to would-be buyers, some of them newspaper chains. *The Highlander* became a highly-sought-after newspaper property for several reasons.

It was the first daily newspaper in Florida—and one of the first in the nation—to invest in costly and revolutionary offset printing presses which made it possible to use other automated equipment.

With this equipment, *The Highlander* was able to expand its news coverage, particularly local photographs with a superior degree of quality. And, it also was able to expand its commercial printing of circulars and catalogs with customers as far away as Colorado and New Jersey with press runs in the millions.

Then, too, *The Highlander* is located in an ideal community—in Florida, where, one newspaper broker remarked, a newspaper is worth ten times as much as a newspaper in South Dakota doing the same volume of business.

My wife, Julia Ann, and I have enjoyed

publishing *The Highlander* and we intend to continue working for the newspaper, but not at the hectic pace that we have for 20 years. During that period, we have had only two vacations of two weeks or longer. We intend to make up for it now.

Since I had a heart attack five years ago, I have had to slow down my pace, but this has put an additional burden on Julia Ann, one of the reasons for the sale.

As I learned at that time, no man is indispensable. Up until then, I felt *The Highlander* would fall to publish unless I supervised every detail.

After the heart attack, I did not enter my office for three months—and to my chagrin they were three of the best months on record.

But it was only because Julia Ann and my long-time secretary, Margaret Haas, took over my administrative duties and other loyal employees increased their efforts. Among them, still with *The Highlander*, are Margaret, Pat Barfield, Jerry Bowers, Lyvern Fulmer, Hazel Robinson, Karen Samann and Mel Strandburg.

Since then these loyal staff members have joined *The Highlander*: George Younge, James Fulmer, Lanona Jones, Jessie Bracken, Johnny M. Condrey, Rachel Ferraez, Lucy McKnight, Kay Seymour, Phil Holt, H. C. Marshall, Mrs. Susie Johnson, Mrs. Fran Culp and Mrs. Wanda Feathers. The latter five are in the circulation department and are backed up by about 25 young business men who buy their papers wholesale and sell them retail.

They, I am sure, will show the same loyalty to John.

John and I have been discussing the possibility of a sale for almost a year, but it was not consummated until today.

I can sense in him the same degree of excitement and enthusiasm that I experienced 20 years ago . . . and I am confident he will improve and expand the newspaper we will always love.

We thank you.

Julia Ann and Bob Lodmell

THE CITIES, UNEMPLOYMENT, AND THE EFFORT OF ONE COMPANY

Mr. SYMINGTON. Mr. President, human misery, unemployment, and consequent civil disruption, constitute the unfortunate and dangerous climate in many core cities of the United States today. The problems are primarily those of men, not of mortar; and they are many and complex.

The remedies—according to the President's Commission on Civil Disorders—lie in "the commitment to national action—compassionate, massive and sustained," backed by the tremendous resources of this Nation. And on the part of every American it will require "new attitudes, new understanding and above all, new will."

The recent report from the President's Commission on Civil Disorders states:

Pervasive unemployment and underemployment are the most persistent and serious grievances in the Negro ghetto. They are inextricably linked to the problem of civil disorder.

"I want to work but I just can't find a job," is more than an expression of personal economic tragedy—it is a denigration of human dignity which this country cannot afford.

As we continue to search for ways and means to correct this problem, we have been brought to the realization that only through practical and constructive effort

on the part of all sectors in our society to provide work and training for men and women can we hope to maintain that respect for our system essential to the preservation of our society.

Although Government at all levels must lead and contribute, Government cannot, nor should it try to, do the whole job. Responsible businesses and industrial leaders must create and foster participation from the private sector. Fortunately, there is growing evidence that enlightened businessmen are becoming increasingly aware of the degree these domestic problems can, and do, affect not only their businesses, but the lives, security, and happiness of each and every one of us. I would hope that all Americans would soon recognize that in the efforts undertaken to rebuild the cities, dissolve the ghettos, and employ the jobless, lie solid and needed foundations for the future.

For these reasons, I am glad that today we are witnessing the beginnings of a broadly based "private sector" effort to join hands with Government and labor in the vital task of improving America.

There are some in this country who believe any such effort will prove futile; for while there have been many instances of cooperative endeavor on the part of Government and business, particularly in times of national emergency, it is felt by these doubters that the basic aims and objectives of the two sectors are so widely disparate no long-term or really meaningful partnership is likely to evolve. The aim of government, these people argue, is the larger public welfare, while that of business is simply private aggrandizement. Government seeks the long-term good of the many, while business seeks only to advance the material wealth of the few.

Fortunately, this extreme opinion is not too widely held. But it is prevalent enough to be cause of concern.

An article in the *Wall Street Journal* last year stated that "word on the college campus is that business is for the birds."

This article went on to say that less and less young people are planning careers in business when they complete their educations. At Harvard, for example, only 14 percent of a recent year's graduates entered business, as compared with 40 percent a few years earlier. And the reason most often cited for this thinking on the part of the new graduates in question was that business had failed to evolve concepts of social and moral responsibility so as to keep pace with the changing conditions of our world.

There is some justification for this criticism. I, for one, am convinced however, that it results from a lack of true understanding of industry's role in a free society. Nor does it take into consideration the high contribution American business is making to the Nation's progress, both economically and socially.

We know of the spark free enterprise has provided to our economic development. By mobilizing our energy, initiative and ability, it has helped to advance the welfare of millions further than any previous system ever advanced the welfare of even a chosen few.

Today, the commitment of much of industry to the public welfare extends far beyond its traditional role of maker, provider and doer. Tomorrow that commitment needs to be even greater.

In recent months, the chief executive officers of some of our outstanding firms have stressed that businessmen must assume a broader leadership role in the Nation's fight against its social and economic ills.

It might be alleged, of course, that these expressions of commitment on the part of businessmen are mere window dressing, manifestations of just another public relations effort. And it is true that almost anything a business does has an impact on its public relations. If a company improves working conditions, or contributes to higher education, or supports a local Scout troop, it can expect to receive some public relations value in return—and what is wrong with that?

We would hope, however, that industry is motivated both by an interest in public relations, and by a commitment to social progress, because business has an equal stake in the Nation's continued well-being.

INDUSTRIAL INITIATIVE

In this latter regard, I was impressed by the recent statement of my friend, Paul A. Gorman, president of Western Electric Co. He said:

Businessmen know that the goals of the Republic will not be achieved without their assistance. They know, too, that the future of the free enterprise system depends on the responsiveness of that system to the needs of the society that nurtures it. They know that, increasingly, business must look upon its community responsibilities as something inseparable from its economic function. They are aware, in short, that business does not serve its customers, its employees, its stockholders and the nation at large simply by performing well today; it must seek to nurture and enhance a community environment in which it can perform well tomorrow and in the years ahead.

I accept that enlightened industry means what it says in this area of social involvement. But what evidence is there that business is assuming a helpful role?

Recently I had occasion to discuss this and related questions with Mr. Gorman. He presented that his firm has passed through at least three stages in the effort to develop a creative and meaningful approach to the problems of the cities.

In the initial stage, Western Electric management sought to learn as much as possible about the larger dimensions of the urban crisis. It sought also to achieve a true sense of common purpose among employees at every level, the premise being that when you talk about effective action on the part of a business, automatically you are talking about the combined action of many individual men and women. Hence, for a company to reach the goals desired, it must first enlist employees who have obtained a thorough grasp of both what is needed, and what can be realistically accomplished.

Business leaders should—and in ever increasing numbers do—have a wide understanding of what the problems are and what the ills of the core city portend. They should be sensitive to the problems of the poor. They will need to

understand the problems of the Nation's minority groups, and be aware of the dangers that neglect of our natural resources will aggravate.

In short, they should learn before doing.

At Western Electric, I was told that this learning process has taken a variety of forms. For example:

A number of committees, task forces and study groups were organized to gather and analyze data on the whole gamut of perceived problems.

A series of 2-day seminars were conducted, at which the firm's top management engaged in person to person discussion of urban problems with such key Negro leaders as James Farmer, Whitney Young, Roy Wilkins, Dr. Kenneth Clark, and James Forman.

In order to win support and encourage voluntary participation in the planned programs to aid the disadvantaged, the company thereupon launched a nationwide communications program. Company policies in such areas as equal employment opportunity, public affairs, and community relations were presented to all employees.

Information on urban problems, employment, air and water pollution, noise, and education were also made an integral and significant part of the firm's management training programs, and data on these and other matters were—and are—disseminated regularly through employee publications.

Finally, a dialog on business involvement in urban problems was encouraged. This dialog continues between Western Electric executives, and leaders of government, education, and organizations representing minority groups.

With information obtained by these and other methods, the firm moved into the second stage of its interest and effort. That stage consisted of a thorough analysis of what should be done in the social arena, with plans and programs to prepare itself accordingly. The company felt it could make a significant contribution in the areas of education and employment. In recent years and months, in the action stage of its approach to the urban crisis, Western Electric has instituted many programs aimed at these problems.

TRAINING AND EDUCATIONAL EFFORTS

In the field of education, Western Electric has instituted many programs to advance the skills of the undereducated, underemployed and unemployed. A few examples:

Virtually all of the company's major plant locations conduct programs aimed at reaching high school students considered to be potential dropouts. These programs involve bringing the students into the firm's offices and factories to get a close-up view of the "world of work" and to note the close relationship between education and employment. In many instances, management people are assigned to work with, and counsel, marginal students throughout the school year.

Mr. Gorman told me that one of the earliest of these programs was instituted at the company's Merrimack Valley Works, near North Andover, Mass. Here

the aim is to reach students experiencing scholastic difficulties, or who are poorly career-oriented, or who lack incentive in the view of their respective school guidance counselors. At the plant, in a program lasting several weeks, they talk informally with Western Electric employees about their experiences, view films on the importance of education, and take a number of tests developed by the company and its consultants so as to determine how best they can qualify themselves for employment.

General managers at plants in Indiana, Oklahoma, Illinois, Nebraska, and North Carolina have instituted so-called in-plant high schools. Their purpose is to enable employees to raise their educational level, usually to the 12th grade. Since 1963, when the program was inaugurated, over 1,000 Western Electric employees have acquired high school diplomas through in-plant schools. Several have gone on to college by means of assistance from the firm's tuition refund plan.

In New York City, Western Electric has formed a volunteer organization of employees who devote a substantial part of their own time to aid the disadvantaged.

Also launched in New York is a program called Preparing Youth for Employment, which seeks to encourage students to complete high school, and thereby become more aware of, and better prepared for job opportunities. In addition to discussions between students and Western Electric employees, parents of the students are invited to participate in some of the sessions when discussion centers around the broad-scale negative implications of underachievement and undereducation.

In addition, the company's New York headquarters has begun development of a special training program for personnel of the city's human resources administration; has helped the city school board create a "workshop" on job opportunities for disadvantaged youth; and has assigned one of its people as Metropolitan Coordinator of the Vice President's Task Force on Youth Motivation. Since August of 1967 the latter group has made presentations before some 9,650 ghetto youth. It expects to reach more than 40,000 youngsters by the first of June.

In New Jersey, the Western Electric manager recognized some years ago that in many cases the public schools were training students for an industrial world that no longer exists. Working with local school administrators from 1962 on, they have played a key role in helping to broaden the dialog between educators and the business community. As a result, in 1963 Bayonne High School set up a new "basic technology" course for non-college-bound freshmen, featuring 3 years of industrially oriented science and mathematics; in 1964, Kearny High School instituted an electronics laboratory for non-college-bound youth, together with new courses in physics and chemistry; and in 1965 Cateret High School introduced a new Western Electric-designed math course—called Techmatics—as well as courses in applied chemistry, applied science, practical electronics, and electricity.

EMPLOYMENT OPPORTUNITY AND SKILL
IMPROVEMENT

In the matter of providing equal employment opportunity, in 1961 the company assigned responsibility for its policy of nondiscrimination to its vice president, personnel and labor relations. He has been assisted by a competent, high-level staff including the company personnel director and several other executives. Supporting their activities is an interdivisional coordinating committee with responsibility for providing across-the-board consistency and continuity in policies incident to equal employment.

In addition, the company has appointed a manager with full-time responsibility for administration of non-discriminatory practices. He and his staff are charged with conducting thoroughgoing studies to obtain total adherence to the firm's equal employment policy.

As a result, the company has been able to increase its minority employment threefold since 1961. Today over 16,000 members of minority groups are employed, with several hundred in technical, professional, and supervisory ranks.

Increasingly, Mr. Gorman explained, Western Electric and its associated companies have been launching programs aimed directly at the hard-core unemployed. Some of these companies have instituted programs completely on their own, while others are working through industry groups or service organizations.

One of the earliest of these undertakings was a project dubbed the skill level improvement project, first conceived by Western Electric officials in Phoenix, Ariz. It has since spread to three additional company locations, in New York, Utah, and Oregon. Company classrooms and equipment are used; and company people, together with representatives of local Urban League chapters, contribute time to help instruct classes in shorthand, typing, business math, and English.

Graduates of the course have been notably successful in obtaining jobs on their own after their skills have been sharpened. Urban League officials in Phoenix have termed the program "one of the most successful in the league's history and one which promises to be a prototype in this community and across the Nation."

In my own State of Missouri, the company is assisting the hard-core unemployed with both jobs and training. James A. Hosford, general manager of the Western Electric plant in Lee's Summit near Kansas City, heads a special committee charged with increasing job opportunities for minority groups, including Negroes, Indians, and Mexican-Americans. In January Hosford and other business leaders worked on finding employment for the city's 5,000 hard-core jobless, suggesting the relaxation of some educational requirements along with the setting up of broad-scale training projects, with industry funds.

Assistance of a different kind—equipment, supplies, temporary office space, and financial support—has been extended to the disadvantaged by company branches in Philadelphia, Baltimore, Oklahoma City, and San Francisco. All four locations are backing local offices of

the Opportunities Industrialization Center, OIC, a self-help organization, provides skills training for both the unemployed and the underemployed. Its success in placing the disadvantaged into jobs has stirred interest all across the Nation. Special efforts are being made by the company to recruit and hire the graduates of OIC training programs.

A program that has attracted considerable attention at the Federal level is the skills escalation and employment development project—SEED, for short—a joint industry-Government effort set up by Western Electric and a number of other firms in Newark, N.J.

SEED grew directly out of the Western Electric skills escalation project—begun in September 1965—which offered machine shop training, free of charge, to unemployed or underemployed men in the Newark area. Consisting of classroom work followed by actual shop experience at the company's factory at nearby Kearny, N.J., the success of the project motivated business and community leaders to launch the expanded SEED undertaking, which today is providing jobs or training for some 2,500 hard-core unemployed each year.

In Chicago, since 1963, Western Electric has been hiring so-called unemployables, and teaching them such skills as typing, comptometry, and relay adjusting.

More recently, the head of the company's plant in suburban Cicero, Ill., launched a program aimed at broadening the economic base of slum neighborhoods by helping to establish small businesses on Chicago's South Side.

To get the program started, Western Electric executives first selected a young Negro with basic woodworking skills, then assigned a team of accountants, engineers, and production specialists to teach him the rudiments of business management. Following this, they helped arrange bank financing in the amount of \$15,000. This enabled this man to purchase machinery, lease a factory, and begin to recruit employees.

At the end of January, the Chicago Custom Woodworking Co. opened for business. It is hoped that this will be only the first of many such ghetto firms. The company is working on more, and putting together a film which it hopes will influence other large firms to develop comparable small businesses.

A Western Electric vice president has joined others in sponsoring a weekly television program aimed at helping the jobless to find employment opportunities in the Chicago area. Each Saturday afternoon a specially produced, half-hour program is presented in cooperation with the Illinois State Employment Service, the Urban League, and the Chicago Merit Employment Committee. Viewers are told of jobs immediately available and are invited to apply for them by calling a special "action line" telephone number. The Urban League reports that at least 6,000 Chicagoans have found jobs by this means since the program began only a few months ago.

In many more cities, the company is working hard on the problem of unemployment. As example:

In Omaha, a representative of the firm is coordinating efforts to retrain and reemploy 2,200 persons who will be displaced as a result of the imminent shutdown of a local meatpacking facility.

In Atlanta, Miami, and Nashville, a program has been instituted to hire and train undereducated Negroes for entry-level positions in the company's installation organization.

In Los Angeles, a Western Electric plant is hiring people with reading levels of seventh grade or less and, for 8 to 10 weeks, allotting 2 hours of each working day to instructing them in basic education.

In Denver, some 30-odd Western Electric people are engaged in tutoring children from low-income neighborhoods in reading, writing, mathematics, and science.

In Winston-Salem, a Western Electric executive is coordinating activities of various public and private agencies concerned with finding jobs for the handicapped and the unskilled.

In Newark, N.J., the company plans to open a small factory immediately adjacent to the scene of last year's massive rioting. Here jobs will be made available to ghetto residents who can satisfactorily meet job-performance requirements, whether or not they possess the standard qualifications. The new factory is part of a joint industrial effort, and hopefully it will provide a model for similar undertakings elsewhere.

In summary, here is an American corporation that is attempting to match words with deeds, that is striving to establish truly meaningful and significant policies and programs so as to make the promise of America come true.

They would be the first to say that what has been done is not adequate. But it is a start.

These Western Electric examples are but representative of a large and growing number of other businesses across the Nation, businesses which recognize their deep obligations to society.

Let us hope that the day when business was business, and nothing more, now belongs to a bygone era. The modern corporation could be, and we hope will be, one of the most effective instruments of social change; a custodian of human resources, and an agent for reaching socially desired objectives.

This corporation is, and we believe many others are, realizing the broad and basic rewards that can only follow if they become partners in the search for a better life for all our citizens. This is a most promising development, and it is only the beginning. Despite the impressive strides already made in the direction of increased social involvement, businessmen I talk to speak of plans for even broader and more intensive efforts in the future.

As mentioned earlier, there may be some who view the businessman's commitment to social involvement as nothing more than a public relations gimmick. In this regard, I hope the facts presented here will help to dispel such misconceptions.

In conclusion, therefore, I believe that a large segment of the business com-

munity means what it says about trying to do its part to help resolve the critical problems we face today; and further, that this same segment now provides a challenging arena for all people who realize the practical importance of such effort.

DEATH OF FORMER SPEAKER JOSEPH W. MARTIN, JR.

Mr. KENNEDY of Massachusetts. Mr. President, with the death of Speaker Joseph W. Martin, Jr., the Commonwealth of Massachusetts has lost a great son, the Republican Party has lost a vital leader, and the entire Nation has lost a great public servant.

Joe Martin led a rich and full life. Born the son of a blacksmith in North Attleboro in 1884, he was the shortstop on a semipro baseball team, and a newspaper reporter and publisher, and then commenced his political career in 1911 when he first won public office in the Massachusetts Legislature.

The year 1924 witnessed the beginning of Mr. Martin's 42 years in the U.S. House of Representatives—two decades of which he was its Republican leader. He was chairman of five Republican National Conventions, and served as the national chairman of the Republican Party. Joe Martin's devotion to his party during his half-century political career more than earned him his title of "Mr. Republican."

Although we were of different political persuasions, the Speaker represented what I consider to be the best of the great tradition of Massachusetts sons who come out of the State to a full and dedicated life of public service. I know all the people of Massachusetts, regardless of party affiliation, held Joe Martin in the highest esteem and join with me in mourning his passing. He leaves behind him a monument of accomplishments which will be a source of inspiration for generations yet to come.

U.S. PRESSURES ON ISRAEL TO RETREAT: A MISTAKEN POLICY

Mr. GRUENING. Mr. President, at a time when U.S. arms shipments to Jordan have been resumed and when the United States is dragging its feet on shipping arms to Israel, it ill behooves the United States to bring pressure on Israel to accede to Arab demands that Israel retreat.

A report sent to the New York Times by Eric Pace from Cairo under the date-line of March 5 states "usually reliable sources" revealed that, contrary to a statement issued by Israel on February 22, 1968, the U.S. Department of State had sent a note to the Government of Israel urging it to "enter into indirect but substantive negotiations with the Arabs and, in general, to facilitate the peace-making efforts of Dr. Gunnar V. Jarring, the special United Nations representative."

More disturbing is the statement that the Department "expressed regret of Israel policy on Jerusalem, Israel contends that the incorporation of the former Arab sector of the city into the Israeli section is irreversible."

I hope that this report does not accurately reflect the facts, although a special dispatch to the New York Times, printed at the conclusion of the Cairo report, states:

Privately, Government officials confirmed that the Rusk message had been sent to Mr. Eban [Israeli Foreign Minister] early in February.

I stated on December 13, 1967, that it was important that the United States "buttress Israel's determination not to give up any territory occupied by it in its 6-day war unless and until, at the very least, the Arab nations declare unmistakably that they are no longer at war with Israel and are willing to negotiate directly with Israel to arrive at binding agreements designed to insure lasting peace in the Middle East."

Without such firm assurances it would be the height of folly for Israel to give up a single inch of its post-1967 war boundaries so necessary for its defense.

It would be equal folly for the United States to refuse to recognize this and to begin to pressure Israel into taking a position so dangerous to Israel's own survival.

I ask unanimous consent that the dispatch by Mr. Pace from Cairo, as published in the New York Times of March 6, 1968, by and entitled "United States Is Said To Have Informed Egypt of Appeal to Israel To Accept U.N. Stand" be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Mar. 6, 1968]
UNITED STATES IS SAID TO HAVE INFORMED
EGYPT OF APPEAL TO ISRAEL TO ACCEPT U.N.
STAND

(By Eric Pace)

CAIRO, March 5.—Usually reliable sources said tonight that the State Department had informed Cairo of a message from Secretary of State Dean Rusk urging that Israel accept the United Nations Security Council resolution on the Middle East.

The message, described as being addressed to Foreign Minister Abba Eban, was said to have also called on the Israelis to enter into indirect but substantive negotiations with the Arabs and, in general, to facilitate the peace-making efforts of Dr. Gunnar V. Jarring, the special United Nations representative.

The report appears to contradict a statement on Feb. 22 by Gideon Rafael, Director General of the Israeli Foreign Ministry, denying that a note had been received from Mr. Rusk pressing Israel to relax her demand for direct Arab-Israeli negotiations. The existence of the note was reported by The New York Times from Washington the day before.

The State Department's purpose in informing the Government of President Gamal Abdel Nasser of its message to Israel appeared to be to generate goodwill as well as sympathy for the United States in its efforts to help bring about a peaceful settlement.

Cairo officials have frequently contended there was a lack of interest in the Middle Eastern problem and failure to put pressure on Israel to make concessions.

The sources, who declined to be identified, said the Rusk message, as conveyed by the State Department, expressed regret over Israeli policy on Jerusalem. Israel contends that the incorporation of the former Arab sector of the city into the Israeli sector is irreversible.

In addition, the informants reported that

the message had warned Israel that if the question of the Middle East came up for debate in the Security Council again, the prospects for the success of the Jarring mission would be impeded. The mission was provided for in the Council resolution, adopted Nov. 22, which also calls for an Israeli withdrawal from territories seized in the June war and for Arab recognition of Israel's territorial integrity.

The Jordanian Foreign Ministry has threatened to take the Jerusalem question before the Security Council if Israel does not relax her stand.

With regard to the council resolution, Israel has not publicly and explicitly accepted its terms, which also call for the ending of the state of war between Israel and the Arab states, acceptance of secure, boundaries for all states, freedom of navigation through international waterways and just settlement of the Arab refugee problem.

Israeli officials have recently indicated that they would be willing to enter into some form of indirect negotiations. The Egyptian Government, according to informed sources, has told United Nations officials that it would be willing to send representatives to Cyprus to engage in indirect contacts with Israeli representatives through the United Nations mediation, provided Israel agreed to implement the Council resolution in its entirety.

Jordan is expected to agree to such indirect, substantive talks if the United Arab Republic does. Syria's militant left-wing Government rejects the idea of a peaceful settlement.

WATER IS THE KEY TO IDAHO'S FUTURE

Mr. MANSFIELD. Mr. President, 2 years ago, the National Wildlife Federation gave highly deserved recognition to FRANK CHURCH, the distinguished senior Senator from Idaho, for his work in the Senate in furthering conservation legislation. Among all the Members of Congress, Senator CHURCH was named by the federation as the outstanding legislator in the field of conservation for 1965.

Recently, Senator HENRY JACKSON, of Washington, chairman of the Committee on Interior and Insular Affairs, spoke at a Jefferson-Jackson dinner in Boise, Idaho. It was a factual, forthright speech. Not only did Senator JACKSON present a fine synopsis of the issues facing the Nation, but he reviewed the exceptional contributions that FRANK CHURCH has made in prudent resource management and development for the State of Idaho and the country at large.

I commend the speech to the attention of the Senate, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

I will speak first about a burden we all bear, a problem with no end in sight, a situation we can expect will get worse before it gets better—and that is the quality of television programs.

This is a crisis which challenges our political leadership. I propose that some of our leading politicians personally step into the breach and attack the entertainment gap. So many actors have been taking the place of politicians lately, it seems only fair that politicians have a chance to take the place of actors. Perhaps it could develop into a permanent exchange program, although we must keep in mind the old axiom that while all politicians make good comedians, not all comedians make good politicians.

So much for the "entertainment gap."

Now let me suggest we work on eliminating the "memory gap."

We Democrats have gotten so used to accomplishing things that we allow people to forget what has been done.

Well, let's just stop a minute and remedy that. Let's enjoy the pride and personal satisfaction of recalling just a little of what we Democrats have accomplished—just lately.

We want the best education for every American child. So we passed historic education legislation. The Federal Government has invested twice as much on education since 1963 as in the whole previous century.

Last year 9 million children in our country were helped in securing a better education because of the Elementary and Secondary Education Act of 1965. Aren't the Republicans interested in education? Sure they are, but three-quarters of the Republicans in the House of Representatives voted against aid to elementary and secondary education. We Democrats passed it.

We also sponsored and passed aid to higher education. A million and a quarter low-income students are in college today because of our Democratic grant and loan programs.

We want to protect the health of our people and assure proper medical care for older citizens. After a 20-year struggle we passed Medicare. Today, decent medical care is the right of almost 20 million older Americans. Seven and a half million senior Americans received care under the program last year. Well, aren't the Republicans interested in the health of senior Americans? Sure. But 93 per cent of them voted against Medicare in the House of Representatives.

We Democrats are serious about improving the health opportunities of all Americans. The national investment in health is now three times what it was in 1964.

We are also serious about maintaining prosperity. We have now seen 83 months of unbroken economic expansion. Unemployment is at its lowest point in 15 years. The national income grew three times as fast between 1961 and 1967 as it grew in the preceding five years. Real personal incomes grew more during any one of those years than in the five years from 1956 to 1961 put together.

And taxes are down. Don't let anyone forget that we Democrats were responsible for the biggest tax cut in history. Even if we have to pass the temporary tax increase President Johnson has requested to meet our commitments at home and abroad, and keep our economy in balance—Federal taxes will still be lower than what they would have been at the 1961 rates—the rates the last Republican Administration left us.

We have a lot more to do in America. We're not resting—not we Democrats. In 1967 our Gross National Product grew about \$43 billion. In 1968 it will grow over \$50 billion. We know we can afford to do what has to be done.

We also know there is a lot we can't afford in our country. We can't afford poor schools—we can't afford neglected children—we can't afford inadequate housing for our families—we can't afford opportunity denied.

Despite the foot-draggers and the doom-criers we're attacking the problems America faces—slums—rural poverty—crime—the destruction of our healthy environment—decay in our cities—discrimination—iniquity for the American farmer.

President Johnson has challenged the Congress to act now to meet some critical needs—a manpower program, enlisting private enterprise to wipe out hard core unemployment.

A housing program that will mean a six-fold increase in low and middle income housing construction over the next decade;

A child health program;

Protection for the American consumer;

Drug control, to "stop the sale of slavery to the young";

A farm program to help farmers bargain more effectively for a fair share of American prosperity.

If we fail to accomplish this for America in this Congress it won't be because of the state of the economy, it won't be because we can't afford it, it won't be because of Vietnam—it will be because in 1966 we lost 47 seats in the House of Representatives to people who vote no.

Let's remedy that in 1968. Don't let our country slip back. Re-elect the Johnson-Humphrey Administration. Give us a workable Democratic majority in the Congress. Keep building a better America.

While we are building a better America, we will also be building a better Northwest and a better Idaho. The great water and related land resources of our region are crucial to our future growth and prosperity—particularly in Idaho.

Idaho is fortunate to have both of your Senators serving on the Interior Committee where we handle much of the resources legislation affecting this State, Idaho and our country are fortunate to have as a ranking member of the Committee and Chairman of the Public Lands Subcommittee your great senior Senator, Frank Church. What a great list of accomplishments he has:

He authored the National Wild and Scenic Rivers Bill which has twice passed the Senate, with provisions he carefully designed and persuaded our Committee to adopt in the best interests of the State of Idaho;

He sponsored legislation to establish the Sawtooth National Recreation area, the Nez Perce National Historic Park, and to preserve the Upper Priest Lake in Northern Idaho;

He served as floor manager in the Senate of two of the most important pieces of conservation legislation ever enacted—the Wilderness Act, and the Land and Water Conservation Fund;

He secured Congressional authorization for the Mann Creek project, the Teton Basin project, and legislation to rehabilitate and extend existing reclamation projects;

He has pushed the proposed Southwest Idaho Water Development Project in which your State has such a great stake. He even arranged hearings on this project before our Committee in advance of submittal of a report on the project by the Secretary of the Interior.

Frankly, I can't recall anyone pulling off such a coup before. My hat is off to you, Frank.

One of the major undertakings of the 89th Congress on which I worked with the Senators from Idaho was the establishment of a Columbia Basin Account. Frank Church was a leader in that endeavor. He took great care to see that we took care of Idaho.

The Columbia Basin Account pools the power revenues from hydroelectric facilities in the Federal Columbia River System. The revenues which are surplus after repaying the costs of dam construction and maintenance are then available to assist irrigation where the costs are beyond the ability of the water users to repay.

In the Basin Account we protected both the future of Northwest irrigation development and the maintenance of low-cost electric power rates. I know you have a growing interest in power and power rates as well as irrigation in Idaho.

Let me point out one thing about the Basin Account, which helps assure the availability of irrigation development funds for Idaho as well as the rest of the Pacific Northwest. Most of the power generation is in the State of Washington, and most of the power revenues come from the State of Washington. So, you can see that Frank Church is a very persuasive man.

Idaho needs that kind of persuasiveness in the United States Senate. We of the Pacific Northwest need his persuasiveness to fight

shoulder to shoulder with us against a threat to our future well-being.

Just a few days ago I read in the press that another Californian had proposed another plan to divert so-called "surplus" water from the Snake River to provide for California's "future" water needs.

Just this week in a Subcommittee in the House of Representatives they have been approving—over the strong opposition of our Northwest Representatives—legislation to authorize studies of large-scale water diversion from our rivers.

Legislation approved by the House Interior Committee in the 89th Congress was aimed at diverting at least 8½ million acre feet. The Snake River—Idaho's main source of undeveloped irrigation water—averages an annual flow of only 7 to 8 million acre feet. Simple arithmetic would show not much left for Idaho if they succeeded in taking what they want out of the Snake. And make no mistake about it, they covet the Snake. They see it as the cheapest source to them. This is so because the Snake is closest to where they want to take the water into the Colorado River. Also, because the elevation of the Snake River is over 3,000 feet the water would not have to be pumped so high to carry it over the mountains to the Colorado.

Don't let anyone tell you they need our water. Little children are not perishing of thirst in California. They are doing very well in California, thank you, and they don't need our water for drinking purposes. They want our water for growing crops down there that we could just as well grow up here. To make it cheap for them they want the rest of the country to help pay the cost—and don't be surprised if they try to tap our own Columbia Basin Account to pay for siphoning off our own water.

We in the Northwest have drawn the line against efforts to tie diversion studies to pending bills in the Congress. At the same time we have supported establishment of a National Water Commission with authority to study the water requirements of the country. Under the auspices of the National Water Commission, water diversion schemes and other alternatives will receive the thorough and objective scrutiny required in the best interests of the nation.

We in the Northwest have supported major investments in devising feasible techniques to desalt water. The results have been so good that Interior Department experts are already convinced that desalted water will meet the needs of the Southwest at far less cost than importation.

We have supported a major research effort in weather modification. Already, the Department of the Interior has estimated that an operational weather modification program could increase the flow of the Colorado River by 20 per cent at a cost of only \$1.50 per acre foot. They estimate the cost of importing water from the Columbia River would be at least 100 times that much—or over \$150 per acre foot.

Frank Church and I—and other members of the Northwest Congressional delegation—have long supported development of the resources of the Southwest in the Southwest. But we will fight to the end to stop them from developing the resources of the Northwest in the Southwest.

The diversion threat to the Northwest is not small.

It goes far beyond a hampering of irrigation development.

Less water means less power—both hydro and steam.

Less water means higher costs in handling water quality problems.

Less water means damage—possibly destruction—to fisheries resources.

Less water in our rivers means our ground water tables would recede.

Less water means degradation of the rec-

reaction value and natural beauty of our major water courses.

Well, with the help of Frank Church we licked them in the Senate last year. If we have to lick them again, we will need Frank Church to do it. He will be in a key position. As a ranking majority member of our Committee, he will be appointed to the conference committee should this issue have to be resolved between the House and the Senate. With his help, we will prevail. The basic resource of the Northwest will be protected and we can go on working to build a better future for our region and our country.

In building a better Idaho, a better Northwest, and a better America, Frank Church is doing a great job. I know you will do your part to keep him on the job.

Thank you!

WILLING PARTNERS IN TRANSPORTATION

Mr. LONG of Missouri. Mr. President, St. Louis, Mo., headquarters for the steamboat trade of the last century, is today producing fresh and outstanding leadership in modern river transportation. W. J. Barta, president of the Mississippi Valley Barge Line Co., of St. Louis, has made an analysis of future transportation requirements in a recent paper entitled "A New Look at Willing Partners in Transportation." He rightly points out that the growth and radical change in technology are two powerful forces at work today. These forces, he suggests, will produce a new era in transportation. Mr. President, I ask unanimous consent that this statement be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A NEW LOOK AT WILLING PARTNERS IN TRANSPORTATION

(Remarks of W. J. Barta, president, Mississippi Valley Barge Line Co., before the National Transportation Institute, Transportation Association of America, New York, N.Y., Jan. 31, 1968)

In any thoughtful review of transportation policy, two powerful forces must be given consideration. The first is the extraordinary growth of the most productive economy the world has ever seen. And second is the radical change in technology together with the organization of production and methods of doing business.

Growth and change are continually upsetting preconceived notions about transportation. It is becoming increasingly clear that we cannot build tomorrow's transport system for yesterday's needs. Nor can we rely on yesterday's ideas or assumptions.

Let's take growth first and look at the loads the transportation industry will be expected to carry between now and 1980. Steel ingot production, according to Iron Age, will be at about 175 million tons a year by 1980, compared to 134.1 million tons in 1966.

Many of us are aware of the rapid expansion in the use of fertilizers in agriculture. As recently as 1960, phosphate rock production was at about 18 million tons in the United States. Year after next, industry will have a capacity for 37 million tons. With the world food shortages and the urgent need to use fertilizers to increase food production abroad the prospects are even greater. The so-called developing countries used only six million metric tons of fertilizer in 1966, according to the President's Science Advisory Study. They will be using 40 million tons by the 1980's, a substantial portion of it from the United States.

U.S. potash production was only 2.3 million tons in 1960, it is expected to be 4.7 million tons by 1970 and at that rate of expansion would be near 10 million tons by 1980. The expansion in the use of anhydrous ammonia has been phenomenal and further rapid growth is expected.

The privately owned electric utilities will have \$85 billions invested in plant capacity by 1970 and, according to the Edison Electric Institute, will be installing another \$85 billions in additional capacity by 1980.

Last year they used 250 million tons of coal; by 1980 they expect to be using 500 million tons of coal. Stewart Udall, the Secretary of the Interior, recently predicted total coal output could reach 900 million tons a year by 1980. The key estimates in building and construction—cement, lumber, glass, steel, brick—suggest that there will be a need to transport literally hundreds of millions more tons of commodities in the next few years.

Those responsible for the production and distribution of the nations output are going to be looking for new and different approaches to transportation. Already, the pressure on the transportation industry is heavy. One evidence is that throughout the industry there is a vigorous search for new technologies and the results are easy to spot in every branch of the industry. In the water carrier branch the trend has been to larger volume tows on the river and much greater efficiency compared to 1960. In trucking, more than half the states now permit higher weight and load limits and as a result efficiency of operations has been improved. The railroads are building larger freight cars, operating 10,000 ton unit trains, and otherwise accommodating their complex system to new and different needs.

The insistent pressure of the nation's economic expansion has kept us all busy improving our own particular segment of the industry and this improvement, of course, will continue. I suggest, however, that the same pressure will force us all into a much more objective approach to the routing of traffic. The computer, with its capacity to assemble and analyze vast quantities of complex data, makes a more objective approach to traffic movement inevitable. In this national interest, and in the enlightened business interests of the various carriers, we are bound to see many more combinations of the best efficiencies of the different modes. There is every reason to believe that, viewing future expansion intelligently, different modes are increasingly going to become partners and, increasingly, willing partners on important movements.

Government is dropping more than a few hints that if we do not get on with the job ourselves, there will be highly specific new and supplementary legislation making intermodal coordination absolutely mandatory. Commissioner Rupert L. Murphy, of the I.C.C., complained in November that the voluntary approach is not producing the results which commerce requires. "Cooperation among equals is necessary. There can be no top dog. The sooner this is realized the better it will be for all," he said.

Working with the truck lines in recent years, the barge lines have produced significant new efficiencies. Millions of tons of grain are delivered by truck to river elevators for onward movement by barge. The farmer, as a result, has received a higher market price for his product and the consumer a lower one. Similarly truck delivery of steel products from barges is a thriving business. Sugar, cement, salt and synthetic rubber, to name only a few products, are gathered to the river or delivered by truck. Tank trucks, particularly, are increasingly connecting with specialized tank barges on a number of new chemical and petro-chemical movements and, of course, on gasoline, aviation fuel and fuel oil.

The relationship of the barges with the trucks is growing closer every day. When a barge line thinks of a movement, it simply calls its trucker friends, tells them what is needed, works out a businesslike arrangement on rates and that's it. The shipper has a new, better and cheaper way of organizing production and distribution. The trucker is always a willing partner. However there is a mileage range beyond which truck service is not economical. When this limit is reached, it would be logical to use rail connections. We do not yet have the same kind of businesslike relationship with the railroad industry.

Last September at the University of Indiana I proposed that shippers, railroads and the government take a new look at water-rail coordination problems.

Particularly with new and highly efficient barge technology, it seems clear that on many high volume movements of products it makes economic sense to get the commodity to water by the shortest route. New markets can be reached, reductions in transport costs achieved and more efficient utilization of transport equipment realized.

Since September, the barge industry has set a number of studies in motion. We have begun to ask questions of shippers and railroads about a number of particular movements and a variety of proposals are now under serious discussion. Because of the long tradition of hostility between water and rail modes, we expect to be disappointed on the first few tries. But good sense, good business, sound public policy and the logic of better utilization of the nation's transport resources will, I believe, sooner or later prevail. The shipping public cannot afford, particularly in times of rising costs, to pass up the economies of more extensive use of water transportation in combination with efficient rail service.

We are taking a slightly different approach than we have ever taken before. Instead of going to a railroad with a proposal that isn't fully worked out and asking for its cooperation, and then listening to the traditional long catalog of well-rehearsed reasons why water-rail coordination is not in the interest of the railroads, we are constructing what we call "willing partner" connecting rates.

There is no longer any great mystery about what a railroad can do for a "willing partner" if it wants to under given circumstances. Cost information on rail movements is generally available; division information is also available. Furthermore, under attack before the I.C.C., railroads have produced vast quantities of highly specific factual information on the economics of rail service. It is, therefore, not too difficult to develop a whole series of "willing partner" rates on particular traffic. We can go to the shippers and railroads, show them the public interest savings available through water-rail coordination and simply ask the railroads to treat the water carrier exactly as they treat their "willing partners" in the railroad industry. We do not make a judgment on the level of a rail rate or the amount of a rail division. We ask only for the same divisions and the same service they would provide as a "willing partner."

For example, the unit train rates have been extensively litigated and a number of companies have made studies of how to make the best use of a unit train. What overall savings might be achieved by a shipper if he could bring together unit trains and barge service? We have developed a number of ideas for this approach and are trying them out on shippers and with some railroads. We assume that if we throw enough good business propositions at railroads and back them up with shipper interest we ought to get some action.

The first action is likely to be some reductions in all-rail rates. This, we have been

told, is already beginning to happen on some movements we have questioned. We have located movements where there seems to be a potential of from \$2 to \$7 a ton savings to the shipper through the use of rail-water service. We lay out the "willing partner" relationships and, of course, the shipper calls his railroad friends at once. Down comes the all-rail rate. If we don't generate a ton of additional freight for the water carriers this year, our little campaign will probably do a lot of good for shippers before the snow flies again in the fall.

At the same time we are increasingly understanding the point of view of the railroad and we must meet head-on some of the problems he has with rail-water coordination. The most serious and the most important is that he believes his best interests in all cases are served when he locks the traffic into the longest possible haul by rail whether on his line or on a combination of lines. In this he is no different from everyone else in transportation, whether airline, truck or barge line. We all try for the long hauls when we can.

If the traditional hostility to any kind of business relationships with water carriers is removed, we believe we may be able to overcome this problem with many individual railroads and demonstrate that the best interest of particular railroads may well be in connecting with a water carrier.

Of course the railroad private interest, the truck private interest or the barge private interest is not the final test. The shipper interest in lower overall rates and the national interest in efficient utilization of available transport resources also should weigh heavily on the scales.

But we can usefully start with issues of business self-interest. Why would a railroad find it good business to work as a "willing partner" with a water carrier?

First, a railroad can often make more money connecting with a barge line than connecting with another railroad. The railroads themselves have begun to demonstrate an increasing interest in better utilization of their equipment. The shuttle unit train with dedicated equipment, 100 percent empty return and severe restrictions on the length of time a shipper can hold a car for loading and unloading, demonstrate the railroad concern with the problem of utilization. Applying the shuttle idea to a connection with a barge service could produce dramatic economies for the shipper and higher earnings for the railroad. For example, the average unit train rate on coal is about 6/10ths of a cent per ton mile. Assume a rate of 8 or 9/10ths of a cent per ton mile for 200 to 300 miles, a distance beyond the usual range of truck connecting service. Load the freight car twice a week instead of the industry average of 16.2 times a year. Annual revenue for the freight car would be between \$18,000 and \$27,000 instead of the industry average of about \$4,900. Of course expenses would be up too, but there would be ample revenue for substantial earnings. Therefore, if it results in high utilization of its equipment, the railroad might find it more profitable to work with a barge line than a connecting railroad.

Second, an individual railroad, particularly a small railroad, frequently recognizes that there are important traffic potentials which it cannot touch because a competing railroad refuses to short haul itself or demands an excessive division for a connection. The excluded railroad could, however, participate in that traffic on a highly profitable basis with a water connection. One railroad, discussing such a movement, freely said it would be like finding a "pot of gold." It couldn't propose such a movement, however, for fear of retaliation by its railroad connections on other traffic, but it would certainly like to be forced into the movement by a shipper or the ICC.

Third, there is little rhyme or reason to the system of divisions between railroads and

some of them, judging by the complaints one hears, are at starvation levels for some railroads. On one movement we have been studying, there is a potential for a \$5 a ton saving to a shipper if a barge-rail connection were made using as a connecting rail rate the exact same division and the exact same connecting point as the all-rail service, with the barge service absorbing all transfer costs. The shipper could be very happy indeed with a \$4 reduction in his overall charges and the railroad well-rewarded with a much more profitable division instead of a starvation division.

Now these are radical new thoughts to some people and the machinery creaks and groans when the ideas are proposed. I look for no early change in the climate, but nevertheless we are living in a time of radical change. In very general terms, we have found that anyone paying \$8 or more a ton for 1,000 miles of railroad transportation ought to look into the possibilities of truck-water, or rail-water alternatives. Shippers paying even lower rail rates for 1,000 miles may also find that the barge-rail alternative is lower in price or the same in price. If it is only the same in price, they will have the advantage of an alternative competitive route with all the benefits which flow from competition. The shipper will not be locked into one service; he will preserve that all-important freedom of choice.

I am not expecting wholesale diversion of present all-rail traffic to rail-water or truck-water service. A lower rate is not always controlling with a shipper. A water-rail innovation which should result in participation in the traffic may not do so. There are many complex considerations which govern the routing of traffic. It is my belief that too many companies have been overlooking the economies of water-rail coordination and have been too easily put off by traditional hostilities. The pressures of an expanding economy will force new approaches to old problems and the economies and efficiencies of water and rail service should not be overlooked.

I am mainly concerned with the long-range improvements in the economy of production and distribution that could result if shippers, railroads and barge lines took a new look at rail-water coordination. With hundreds of millions more tons of traffic to carry in the next 10 years, all of us have to invest heavily in new and improved equipment this year and every year as far in the future as we can see. The businesslike question to ask about this new investment is how will that capital be most efficiently employed? Most shipments move by more than one mode. It is logical to think of the most efficient combinations.

I am personally going to ignore the long-standing hostilities between the two modes and keep on proposing "willing partner" ideas which are good business propositions for shippers, the railroads and the barges.

I am told that I will fail.

I am told that there is a national railroad conspiracy against water-rail coordination, and there is no concern for the efficient use of the nation's transport resources among railroad managements.

Maybe that is so. If you will forgive me for quoting an old cliché—I am after all from Missouri.

DEATH OF WILLIAM F. MAAG, JR., YOUNGSTOWN, OHIO

Mr. LAUSCHE. Mr. President, in the death of Mr. William F. Maag, Jr., on February 29, I have lost a highly respected friend, and the Nation has lost an outstanding and courageous journalist. For many years Mr. Maag had been the publisher and editor of the Youngstown Vindicator.

As a tribute to Mr. Maag, I ask unanimous consent that the lead article in the February 29 issue of the Vindicator be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WILLIAM F. MAAG JR., EDITOR, CIVIC LEADER,
DIES

Mr. Maag had been in failing health since last fall, but did not become seriously ill until a few weeks ago.

Until very recent years, Mr. Maag was at his office every day, for long days, and took huge quantities of magazines and newspapers home to read at night. After 60 years of intensive work directing and editing The Vindicator, he finally yielded to the persuasion of his family and physicians, and agreed to restrict his schedule. He continued, however, to keep in close touch with the newspaper's operation, whether at home or in Florida, and major decisions still were taken up with him until recent weeks.

Mr. Maag was born July 26, 1883, one of six children of William F. and Elizabeth DuCasse Maag. He was the last surviving member of a family which included Mrs. W. O. Brown, Arthur DuCasse Maag, treasurer and Sunday editor of The Vindicator, Miss Eda Irene, who died as a young woman; Mathilda, who died at 9, and Carl, who died at 7. The only close relatives surviving are his niece, Miss Elizabeth M. Brown, and his nephew, William J. Brown, general manager of The Vindicator.

BEGAN IN GRADE SCHOOL

The Maag family lived on Front Street, and the head of the family was publisher of the Rundschau, a German weekly. Four years after Mr. Maag was born, his father bought The Youngstown Vindicator, then a weekly newspaper.

Central Elementary School, later known as Front Street School, on the southeast corner of Front and Phelps streets, was where he began his education—and his journalistic career. While still a pupil there, he edited "The Historian," a small brochure containing articles about Queen Victoria, Peter Cooper, Greece, Turkey and other subjects.

Going on to Rayen School, Mr. Maag came under the influence of such teachers as Sarah J. Peterson, Lida Baldwin, and Philippina Kerwer. In November 1899, while a junior, he launched the Rayen Record, a monthly magazine which still is published, although the magazine format was dropped in 1926. He was its first editor, with Robert McGowan as his assistant and Joseph R. Truesdale as business manager.

As editor of the Record, Mr. Maag set the tone of his editorial career, for he promised in his first issue that no pains would be spared to make each issue a good one, and each would be better. He campaigned for showers for the athletic team and offered prizes for those who identified the lines in a Shakespearean anagram devised by Mrs. Peterson. He got articles on current events.

Along with editing the Record, Mr. Maag managed the Rayen baseball team of 1901.

Upon Mr. Maag's graduation from Rayen in 1901, James L. Wick Jr. succeeded him as editor. That fall, Wick got a long letter from Harvard University, where Mr. Maag took time out from his freshman studies to send him suggestions about improving the Record.

COULD SET TYPE

Mr. Maag was graduated from Harvard, magna cum laude, in 1905, and returned for graduate work in 1905 and 1906, though he did not take his master's degree until 1915.

During the summers of his school years, and in spare hours while in high school, Mr. Maag spent much time in the offices and plant of The Vindicator, by that time a growing daily newspaper. He learned to set type and became familiar with the mechanical

operations, as well as learning how news was handled. Upon completing his work at Harvard, he returned to The Vindicator as a reporter.

William F. Maag Sr. was essentially a business man, and looked to his son to take on more and more responsibility in the editorial department. William F. Maag Jr. became managing editor shortly after World War I, and retained that title until his father's death in April, 1924, when he became general manager. Upon the retirement of the late Frederick A. Douglas in 1936, Mr. Maag became editor as well as general manager. His title, after the death of Justice John H. Clarke, in 1945, was editor and publisher. After the death of his brother-in-law, William O. Brown, in 1956, he also became president of The Vindicator Printing Co.

RETIRING DISPOSITION

Tall and slim, Mr. Maag was a familiar figure downtown and at meetings of public interest, but so retiring of disposition that he preferred to be in the background. Even when sending memos to his subordinates, he often signed them merely "m"—not a capital letter. If he were in a picture taken for newspaper use, at some public event, he frequently maneuvered himself into an end position, where he could "crop" himself out when the photo was made into an engraving for publication.

For most of his career, Mr. Maag worked at a desk in a corner of the news room, where he was in instant touch with everything, and where he was accessible to everyone. In 1937, when The Vindicator moved into its present building, with a large office for the editor, Mr. Maag was not happy at being cut off from the staff, and his office door was open to anyone. On one morning, in fact, he arranged to have it opened before his arrival, so a copy girl could look at a TV program which had her excited.

The Mahoning Valley Industrial Management Association presented a citation and a medallion to him in 1954 for "50 years of making the Mahoning Valley industrial region a better place in which to work and live."

Mr. Maag was called the city's first citizen and a great benefactor when the Mahoning Valley Historical Society honored him on his 80th birthday, in 1963. On the same occasion, the members of the editorial staff held an informal party for him in the news room, with a huge cake decorated in the form of the front page of The Vindicator, with his picture.

In the same summer, Gov. James Rhodes praised his work on behalf of Youngstown University, saying "Youngstown is blessed by having a great editor." The Eastern Orthodox Men's Club honored him in 1964 for his "devoted service to the Mahoning Valley community."

In his own plant, Mr. Maag held honorary membership in the International Pressmen's and Assistants Union, and in the Stereotypers and Electrotypers' Local 112.

FOUGHT FOR CANAL

Waterway transportation for Youngstown was one of the causes which he held most important. He devoted great quantities of space in The Vindicator to supporting projects to meet this need, either in the form of a Lake Erie-Ohio River canal, or the Beaver-Mahoning project which at one time seemed to have a good chance of realization. He served on committees for these projects, and at a time which seemed critical to the success of the Beaver-Mahoning plan, he sent the late Ernest N. Nemenyi, Vindicator industrial editor, to Washington for the better part of three years, to carry on a personal campaign.

Mr. Maag served on the Chamber of Commerce committee whose efforts led to establishing Youngstown Municipal Airport.

Other gifts to the public which were little publicized included the donation of the land

for the armory on Miller Street, and donating the site of Boardman Township Park.

The paper continued to grow, until its daily circulation now is over 100,000; and the Sunday sale more than 155,000. The press room has been expanded twice, and even now the mechanical facilities are being taxed to keep up with growth, so that a new plant is being planned.

Mr. Maag had one complaint about the growth: it left him little personal contact with his staff. In earlier years, he knew everyone on the staff, knew their problems and the joys. He regretted that expansion prevented him from having this relationship, but he continued his interest in their welfare. His father had established an insurance program for employees in the early 1920's, and Mr. Maag expanded this program. In 1945 he set up a retirement program, and expanded this, as well, in 1960.

While guiding The Vindicator's growth, Mr. Maag was increasingly aware of the importance of radio. The Vindicator had publicized and encouraged the establishment and growth of early radio stations here, but in the mid-30s, he began to study the desirability of entering the radio field himself. In April 1938, he was granted a license for day-time operation of a 100-watt station, and WFMJ went on the air late in the summer of 1939, just as World War II erupted. Mr. Maag kept a close finger—and sharp ear—on the growth of the station. Within a few years, its license was broadened for more time and greater power, and a new transmitter was built in Boardman, near the family home, but on a site chosen primarily for technical reasons.

STATEMENT OF AFL-CIO EXECUTIVE COUNCIL EXPRESSES FULL SUPPORT FOR INTERNATIONAL HUMAN RIGHTS CONFERENCE IN TEHRAN

Mr. PROXMIER. Mr. President, I ask unanimous consent to have printed in the RECORD an article, published in the March 2 edition of the AFL-CIO News, describing the union's executive board support for the 1968 International Human Rights Conference and their endorsement of the ratification of the remaining Human Rights Conventions.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"LONG OVERDUE": HUMAN RIGHTS PACTS DEMAND RATIFICATION

(Excerpted from the AFL-CIO Executive Council statement on the International Human Rights Conference adopted February 23, 1968, at Bal Harbour, Fla.)

In his formal proclamation of 1968 as Human Rights Year, Pres. Johnson emphasized that U.S. ratification of human rights treaties was long overdue. This ratification is all the more urgent because, otherwise, our government will not be able to participate effectively in the United Nations Conference on Human Rights to be held in Teheran next April.

American labor has had an unceasing interest in promoting and preserving human rights. Devoted to this course, the AFL-CIO Executive Council strives to do its utmost to help assure the success of this historic conference which marks the 20th anniversary of the proclamation of the Declaration of Human Rights by the U.N. Assembly.

The Executive Council calls upon Chairman Fulbright of the Senate Foreign Relations Committee to cease all further delays in holding hearings on the ratification of the remaining human rights treaties—as strongly urged by the late Pres. Kennedy and Pres. Johnson.

The Foreign Relations Committee must realize that it is no credit to our country

that the U.S. is not one of the 71 nations which have approved the Convention on the Prevention and Punishment of the Crime of Genocide that was unanimously recommended, on December 9, 1948, by the UN General Assembly for ratification by member states; the U.S. is not one of the 79 nations which have approved the Convention concerning the Abolition of Forced Labor; the U.S. is not among the 76 nations which have approved the Convention on Freedom of Association; and the U.S. is not among the 55 nations which have already approved the Convention on the Political Rights of Women.

Since the American people as a whole now enjoy the rights, freedoms and standards provided by these Conventions, no member of the Senate Foreign Relations Committee can at this very late date, raise the question of the so-called sanctity of states' rights as an objection to their ratification.

The Teheran Conference provides our government with a unique opportunity to take the lead in seeking concrete worldwide implementation of the International Covenant on Human Rights which was adopted by the U.N. General Assembly in December 1966. The AFL-CIO Executive Council urges our government to take the initiative in proposing that the Teheran Conference take positive steps for implementing:

Article 13(2) of the Universal Declaration of Human Rights which provides that "Everyone has the right to leave any country, including his own, and to return to his country."

Article 14(1) which provides that "Everyone has the right to seek and enjoy in other countries asylum from persecution."

The creation of more effective safeguards against the violation of human rights by establishing a Permanent UN Commission on the Preservation and Promotion of Human Rights, with authority to appoint Human Rights Observation Committees endowed with the rights and powers of investigation, surveillance and reporting.

The elimination by the UN Member States of all legal, political administrative and police barriers to the widest freedom of circulation among their peoples of all UN publications, surveys, reports and other documents acted upon by the General Assembly or any of its subdivisions.

Enforcement of effective sanctions against repressive colonialist regimes in the African territories under Portuguese and Spanish administration, in Rhodesia, and South Africa.

Preparation of a program for a more effective solution of all refugee problems (Arab and Jewish alike) by ratifying the October 4, 1967 Protocol on Refugees which enlarged the scope of the 1951 Refugee Convention.

Finally, we urge our government to include a representative of the AFL-CIO in the U.S. delegation to the Teheran Conference.

NEW PROGRAM TO INCREASE VOLUME OF U.S. EXPORTS

Mr. TOWER. Mr. President, on January 1 of this year the President made some economic recommendations of which we are all very much aware. Unfortunately, I must disagree with the great mass of those recommendations. However I do applaud one particular aspect of the New Year's message, and that is the recommendation for funding a new program to increase the volume of U.S. exports. This is termed the Joint Export Association Program.

Funds to promote the sale of American exports would be channeled through joint Government/industry export associations, consisting of groups of firms or their representatives.

Assistance under this program would

be just as available to small and moderate sized businesses as it would be to more established firms. Both exporters with long-term histories of export activity and potential exporters who have not entered worldwide markets would be eligible for assistance.

The value of such a program, when viewed in relation to our continuing balance of payments problems and domestic economic considerations, is readily apparent.

For example, financial assistance would be available for advertising and publicity abroad including participation in international trade fairs, market research, travel connected with international promotion activities, training of personnel and operation abroad of certain physical facilities such as assembly and packaging facilities, showrooms, service, and warehousing facilities.

This proposal is one of the more encouraging programs which this administration has come up with. I only regret that it was not suggested before. Perhaps if it had we would not be faced with some of the grave problems which now confront us.

I urge that the Senate Appropriations Committee give full consideration to this item in the budget, and I hope it will reach a favorable decision.

TILTING THE WINDMILL

Mr. MAGNUSON. Mr. President, every great city of any size is always endowed with an iconoclastic journalist whose mission in the city it is to debunk the cherished, the sacred, the revered, and the respected, including politicians, clergymen and three-footed infelders.

Seattle is no exception.

For more than two decades, Ed Donohoe, the sharp-witted columnist for the Washington Teamster has been "tilting the windmill" always seeking to put local people and events in a different perspective. His often barbed weekly observations are awaited with mixed feelings of anticipation and trepidation by thousands of readers around the State of Washington.

Recently, Don Duncan, columnist of the Seattle Times, drew a delightful profile of Ed Donohoe; one which I believe many people will enjoy reading.

Therefore, I ask unanimous consent that Duncan's article be reprinted in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TILTING THE WINDMILL

The column is entitled, "Tilting the Windmill." The author, Ed Donohoe, is a balding, slightly paunchy man who has built a reputation as the most vitriolic writer in the Pacific Northwest.

Every Friday, The Washington Teamster, vehicle for Donohoe's acid-dipped typewriter, lands in the hands of 51,000 subscribers and 2,000 "courtesy list" recipients. As such it is the largest-circulation weekly in the state. Certainly it is one of the best-read publications anywhere.

Donohoe tilts at windmills most newspapermen wouldn't touch with one of Don Quixote's ten-foot poles. He is Quixotic by nature, but he sees a difference.

"Don Quixote was always falling. I like to feel that I hit a lot of guys where it hurts."

Politicians, judges, industrialists, physi-

cians can attest that Donohoe has a rare instinct for the jugular. Indeed, they quickly scan Donohoe's column each week to see if their names are mentioned. If not, they settle back and chuckle over the crisply thrown jabs "the other guy" is absorbing.

The back-alley brawler who leads with his typewriter no longer is common in journalism. So, in a way, Donohoe is one of the last of a breed. He works in a cluttered office in the basement of the Teamster Building, 552 Denny Way, spinning around in his swivel chair to answer the telephone a few feet from his desk, propping his feet on the desk and toying with a toothpick when he talks informally.

When he turns to his vintage Royal typewriter, he cackles or giggles with glee. His speech, too, is punctuated by these hard-to-describe outbursts. Maybe Brutus sounded like that while he was slipping the knife into Caesar.

Donohoe says of his writing, "I try to overpower the facts." And he adds, "I've been wrong . . . in fact, I can't understand why people get so disturbed."

But disturbed they do get. Men have "gone looking" for Donohoe. He has been dissected on the airwaves. He has been airily dismissed as nothing more than a public scold. Some, he says, "measure me for a box or go whining" to a Teamster official.

All the while, of course, Donohoe is being read.

While most men, in these days of image-building and group-think, are reasonably prudent about dealing in personalities when they talk, or write, Donohoe's 27 years of faithful service to the union give him a sense of security. He starts swinging at the bell. After it, too, if he sees an opening.

Samples:

On newspapermen sticking to what they know best: "Ever see a newspaperman run for political office! Most pitiful sight in the world."

On the controversial appointment of Dan O'Donnell as 37th District legislator: "Why discriminate against Dan O'Donnell because he's white?"

On "Streetcar Charlie" Carroll, former transit man and long-time city councilman: "Charlie's a nice guy and a good politician, but there was a time when he couldn't find his way to the car barn."

On the medical profession: "I recently suggested we put doctors under the Department of Public Utilities, to fix their fees. Those birds are doing everything in their power to bring on socialized medicine."

Donohoe described Lloyd Cooney, television editorialist, as "an overanxious coyote." Mild compared with his saying of Irving Clark, Jr., radio talk-show personality, that they were considering naming a mountain after Clark but were having trouble finding one shaped to match his pointed head.

In Donohoe's dictionary, one finds: The Seattle Times ("Fairview Fanny"). Prosecutor Charles O. Carroll ("Faircatch Carroll").

Superior Judge Charles Z. Smith ("Zero Smith").

It was Donohoe who first called the freeway mess at the Roanoke Interchange, "Roanoke Roulette." All newspapermen who use the words now are "pirates."

Donohoe says of Judge Smith, "I didn't even know him when I first called him 'Zero.' He came up to me one day and said he had no ax to grind, but it did sort of hurt when his kids picked it up and started calling him 'Zero.' Nice guy, Judge Smith."

"And one thing you got to say for 'Faircatch Carroll,' he's direct. He eats you out, face to face."

Silence hurts Donohoe. When he hits, he likes a good counterpunch. He thrives on controversy.

"I like to see which way the wind is blowing, so I can blow against it," Donohoe says. "It is more fun knocking. Nobody would read you if you were nice all the time, like

some of those gravestone-scratcher columnists, always eulogizing. Those sentimental writers make me want to throw up.

"Most of all, I don't like the starched-collar attitude, I like humor."

Donohoe has tried hard to pattern his bite after that of one of his early mentors, the late Les Hunt, former editor of The Washington Teamster.

"Les had that great knack for breaking it off in a guy," Donohoe said admiringly.

Donohoe learned his lessons well. After finishing St. Anne's and Seattle Prep in Seattle, he attended Seattle University, St. Martin's College and the University of Washington, getting his degree at the U. W. He wasn't in journalism, though, and there was little indication of the real Donohoe behind that slat-thin, slightly dyspeptic-looking exterior.

After a brief hitch on a Seattle daily (he says he got the ax), Donohoe turned up at the Teamsters Union—22 years old and full of beans.

Those beans have been exploding ever since, making 10 times as much noise since he began his column 12 years ago.

His column-writing technique is simple. He thinks about it for two days before deadline. Then, in one frenzied burst of activity, often no more than an hour, he pounds it out—cackling or giggling when "I am really breaking it off." One draft and he's finished, "because you ruin it with all that polishing."

Donohoe's creed is to "write to entertain myself. I say to myself, 'Hey, that ought to really make the guy burn.'"

There are some regular readers of The Washington Teamster who wonder aloud if the polished, literate editorials and column of Denzil Walters, Donohoe's college-teacher assistant, and the Menckenesque writing of Donohoe aren't "over the heads of truck drivers."

"Nuts," says Donohoe. He adds that not all teamsters drive trucks, that they represent a cross-section of America. Many are extremely well educated. None is a dummy.

"Besides," Donohoe cackled, "I even confuse myself when I play with words sometimes."

Donohoe usually helps script the annual sportswriters' banquet here, a lampoon similar to the famous Gridiron Club banquet in Washington, D.C. It is a great showcase for his talents.

"Yeah," he said, "we invented the 'Soriano (Dewey) Cocktail'—on the rocks." Cackle, cackle.

Harsh? Well, consider:

Donohoe once said he'd like to see the Pike Place Market fall on Ivar's Acres of Clams, "so we can get rid of two eyesores at once."

"Ivar Haglund really loved that one."

Aiming a classic one-two at the market, Donohoe wrote, "Father, dear father, come home with me, please; you've come from the Pike Place Market and you're covered with fleas."

In those weekly cartoons in The Washington Teamsters Donohoe writes biting captions. Physicians are depicted as Midases, Gov. Dan Evans walks around with an arrow sticking through his head, asking, "Hey, has anybody seen my arrow?"

And Donohoe's personal favorite: "Ted Griffin carrying Namu on his back and approaching Mayor Braman. The caption: 'He's not heavy, Your Honor, he's my blubber.'"

Donohoe regularly pummels The Boeing Co. and the League of Women Voters. He roasted the late Cardinal Spellman. But he is quick to praise, too. Mayor Braman is "the best mayor the town ever had." County Commissioner Ed Munro is "the ideal intelligent politician." Jack Hurley, the prizefight entrepreneur, is simply "the greatest."

The telephone rang. Donohoe spun around and picked up the receiver. He listened and frowned.

"You're no more Jim Ellis (the Forward

Thruster is a frequent Donohoe target) than I am," Donohoe snarled. "Edo!"

It was, indeed, Edo Vanni, general manager of the Seattle Angels.

"Hey, Edo, saw your picture in the paper and I couldn't tell if you'd been fired or were still general manager. Get the Mafia going on it . . ."

THE NEED FOR A SECOND WHITE HOUSE CONFERENCE ON AGING

Mr. FONG. Mr. President, the Special Subcommittee on Aging of the Committee on Labor and Public Welfare has begun to hold hearings on Senate Joint Resolution 117, which proposes that a White House Conference on Aging be held in 1970.

As one of the cosponsors of this resolution, I am deeply hopeful that this resolution will be thoroughly discussed, analyzed, and then favorably acted upon.

I support the purpose of Senate Joint Resolution 117 because I am convinced that the problems of today's 19 million Americans over 65 are critical and increasing. A White House Conference on Aging would provide the opportunity for leaders and experts to gather together and explore the problems that beset many of our senior citizens and to recommend possible courses of action.

The resolution that is being discussed would—

First. Authorize the Secretary of Health, Education, and Welfare to plan and conduct the conference with the cooperation and assistance of such other Federal departments and agencies as may be appropriate;

Second. Bring together representatives of Federal, State, and local governments, professional and lay people who are working in the field of aging, and of the general public, including older persons themselves;

Third. Authorize each State, upon application to the Secretary of Health, Education, and Welfare, not more than \$25,000 for use in planning and conducting a State conference on aging, for developing facts and recommendations and the preparation of reports, and for defraying costs incident to the State's delegates attending the White House Conference;

Fourth. Authorize the Secretary of Health, Education, and Welfare to establish an Advisory Committee to the Conference to advise and assist in planning and conducting the Conference;

Fifth. Require that a final report of the Conference be submitted to the President not later than 90 days following the date on which the Conference was called.

Mr. President, the value and benefits to be gained by such a conference far surpasses the small investment of Federal funds needed to implement Senate Joint Resolution 117.

The White House Conference would provide the opportunity to develop future programs and to improve current programs for our senior citizens.

It would provide a basis for the leaders and experts in the field to come together to exchange ideas, evaluate current programs and make recommendations for new programs.

The Conference would make it desirable for each State to define its particu-

lar needs and to give prompt attention to present and potential problems.

As one who has worked for the passage of several major recommendations made at the 1961 White House Conference on Aging, I am pleased with the progress that has been made to date, but I am also convinced that a thorough review of our approach to the problems of our senior citizens must be evaluated.

As a member of the Senate Special Committee on Aging, I am well aware of the magnitude of the problems facing the elderly and the extent of our Government's commitment to meet these problems.

The great advances being made in the field of medicine and public health have increased the number of elder Americans to over 19 million. It is estimated that the year 2000 will see over 28 million Americans in the senior citizen category. This rapid increase in the number of older Americans requires much planning on the part of public officials in order that the elders of our society may be accommodated.

In February of 1963, President Kennedy eloquently expressed the concern that we must have for our senior citizens when he declared:

It is not enough for a great nation merely to have added new years to life—our objective must also be to add new life to those years.

And may I add, our responsibility and duty to our senior Americans have not changed.

We must meet the challenge of being compassionate and respectful to our elders—too many of whom have been left behind by the progress and change they worked most of their lives to bring about. They cannot and must not be forsaken.

In our busy and productive society, many of our senior citizens have been relegated to lead empty, lonesome, and neglected lives: 5.3 million older Americans have annual incomes below the poverty level; only 1 out of 5 has a job, usually at low wages; over 2 million elderly citizens are on welfare; nearly 40 percent of our single older citizens have total assets of less than \$1,000.

It is a sad but true picture that many of our senior citizens dwell in city and rural slums—lonely and forgotten, isolated from the invigorating spirit of "young" America on the move.

We are constantly being reminded that our country is getting younger—that half of our citizens are under 25 years of age. Regardless of the fact that the spotlight is focused on the American youth, we cannot afford to ignore either the problems or the vast potential of our senior citizens.

The stereotype concept of the elderly in our society has been one where the aged are supposed to be enjoying their retirement years. Unfortunately, this stereotype picture ignores several important facts.

It ignores the hardship faced by the poor who are forced to supplement their inadequate income with whatever they can find.

It ignores the fact that many of our senior citizens are forced to live lonely years with no continuing contact with society.

And it ignores the frustration of the aged, many of whom can and want to continue to produce and make further contributions to our society—an asset we can ill afford to waste.

A White House Conference, as envisioned by Senate Joint Resolution 117, would go far to create a new concept of the status and role of the older American—a new type of senior citizen.

More and more today's group of elder citizens represents a vast reservoir of talent, skills, and "youth." Compulsory early retirement has given rise to a new kind of older American—strong, healthy, talented, and eager to continue giving.

Since many people are retired in regard only to chronological age, each year tens of thousands are added to the retired group who the previous year held responsible and productive jobs.

There is no doubt in my mind that "young" Americans want to remain in the mainstream of life. They need society to demonstrate that it has further use for their services and wants them to continue to play a dynamic and active role.

Being useful, many times, marks the difference between just existing and living with meaning.

Mr. President, I strongly support Senate Joint Resolution 117. I think our senior citizens require and deserve the attention and study that only a White House Conference on Aging can bring about.

A CONTINUING DIALOG

Mr. PERCY. Mr. President, over the last several months there has been a great deal of discussion of national priorities and Government spending, about leadership within our country and by our country. In this regard, there has perhaps been no single more meaningful contribution to this discussion than the report issued this past weekend by the President's Commission on Civil Disorders.

There were statements included with which some of us would differ. There were omissions made that some of us would have included.

But the report offers great potential in contributing to the solution of our urban problems, and perhaps its greatest value lies in the dialog the Commission hopes to stimulate among all citizens.

Millions of Americans read excerpts of the report in their Sunday newspapers, and millions more watched the beginning of what I hope will be a continuing dialog on their television sets Sunday afternoon. I would like to request that the transcript of a part of the opening round of discussions be inserted into the RECORD at this point. It is an extract from the transcript of the "Face the Nation" program which had as its special guest, the distinguished mayor of New York, John Lindsay, Vice Chairman of the Commission. I hope that the remarks of the able mayor of the city of New York will provoke further discussion and comment among those interested in finding effective and innovative solutions to our urban problems.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

Mr. NOVAK. Turning to the Riot Commission report, Mayor Lindsay, do you—what is the price tag on this report and what chance do you think there is of the Congress accepting it?

Mayor LINDSAY. The report sets a very high goal for the Nation. The Commission chose to put that goal in terms of a program: housing, jobs, needs of education, discussion of the bankrupt welfare system in the country. The Commission chose to discuss those in broad terms, setting a very high goal in the units of housing that are needed, the numbers of jobs that are required to be supplied to the poor and those who are trapped in the ghettos, and did not put a price tag on it. Undoubtedly, it will be costly, but Americans have risen to challenges each time they have arisen. The Congress rose to the challenge of the conquering of space when it was put to the Congress, and the Congress can and ought to rise to this one.

Mr. NOVAK. Now Congressman Mahon, of Texas, the Chairman of the House Appropriations Committee, is going to have a lot to say about how much or how little this is implemented, says that very little of it is going to be implemented. And, he says, that this is just going to—the mere issuance of these recommendations are just going to cause rising expectations that cannot be satisfied and increase the danger of riots. What do you think about that?

Mayor LINDSAY. As a former member of Congress, which I was for seven years, and now as a Mayor, I think I can speak as a realist in this area. And most Congressmen are realists, too, including my former colleague, Congressman Mahon, for whom I have the highest regard. But the fact is that the Congress must lead and the country must push the Congress. Both must happen, and unless it happens we're in for trouble. The way things are going now, an average ghetto community of the twenty-four major cities across the country that the Riot Commission examined with care, you will find that two out of three Negroes in those ghetto areas are jobless or underemployed through no fault of their own, that over 50 per cent of the young men can expect to be dropouts from the school system, that two out of three can look forward to an entire lifetime trapped in the welfare system, which is costly to everyone. The cost of inaction in this area will far outstrip the cost of taking positive realist action which the Congress has got to do.

Mr. AGRONSKY. Mayor Lindsay, let's talk about the cost of action. You once made an observation, I believe, that it would cost \$50 billion to implement over five years even a half-adequate program to deal with this problem. I believe you estimated it would cost \$5 billion for New York City alone to deal with the problem. You were Vice Chairman of the Commission, was no price tag put on this?

Mayor LINDSAY. You know, just take one area—New York City. Over a ten-year period, the taxpayers of New York put \$1 billion of their own money in transportation alone. That is our contribution, out of one municipality. We're not talking about something that is going to kill the country. Over a five-year period we put \$18 billion into highways alone, another \$18 to \$20 billion into the space program. Is this country going to say that it is impossible to correct the cancer that exists in the center of these cities, fifty of which rioted last summer, by an expenditure of funds that are needed and which are modest in comparison, as I said, with the cost of this.

Mr. AGRONSKY. Why did you not say how much is needed so that the country would know what we're talking about?

Mayor LINDSAY. The Commission chose not to attempt to put a price tag on it, for several reasons: One, some of the areas of discussion in the Commission report, such as the junking of the welfare system and substituting something far more realistic and better

and productive, such as income supplements for the poor, those who cannot get a decent living through no fault of their own, or underemployed through no fault of their own—and economists can debate endlessly the cost of some of these things. In the job area, we're talking about a massive involvement of the private sector, with some help by way of subsidies or tax credits from the federal government. In housing, we're talking about massive assistance to the private sector to reduce the costs of housing and to lower the costs of interest payments. And you can debate endlessly the cost of it. It will be costly. And I think that the country has got to make up its mind, and the Congress must make up its mind, that the cost figure is relatively unimportant in terms of what we have to do in order to save this country from the possibility of chaos.

Mr. DEAN. Mr. Mayor, is it your view that the—it is a very basic question—that these programs can be implemented while the Nation's energies and monies are committed so heavily in South Vietnam?

Mayor LINDSAY. Well, once again—first, let me talk about the Commission. The Commission chose not to compare what has to be done in these cities with space, Europe, NATO, Vietnam, or any other national or international commitment. It simply said here is the problem. It is massive, and the country must mount programs to meet that problem that is equal to the problem. And my own view is that the country could do it. I believe very strongly that the country must and should.

Mr. AGRONSKY. Mayor Lindsay, obviously one cannot really contemplate or try to figure out the way to work out these recommendations of the Commission in a vacuum, you must relate it to our foreign policy, you must relate it to the problem of Vietnam. Clearly, you were aware of this. Did you raise this with President Johnson?

Mayor LINDSAY. Well, the Commission's report is a report to the President and to the country and the Commission simply says that, after describing the nature of the condition of these cities, it simply says that, as a matter of survival, there can be no higher priority than the mobilization of national resources to fight the problem in the cities. And I think that the tone of the Commission's report to the President and to the country is that the country must do this in order to survive.

Mr. AGRONSKY. But was there no opportunity on the part of the Commission to talk to the President before the public issuance of the report?

Mayor LINDSAY. Well, it was not expected of anyone. The President of the United States gave this Commission, last August, a charter. It was an executive order signed by the President. And the President said to the Commission that he appointed and brought into his office at that time, said "I want you to tell the country what happened in the summer of 1967, why did it happen and what should be done to stop it from happening again." And we went through, each of us, I think, a personal ordeal, for seven months, in working together in rolled-up sleeves inside meetings with ourselves and then out on the streets and in the cities, personal visits by members of the Commission to these cities that had had riots, and intensive work by staffs and by experts.

Mr. AGRONSKY. Has the President indicated—

Mayor LINDSAY. And then we put together our findings in very difficult debate among ourselves and produced a unanimous report. All Commissioners signed it and now it is before the President and before the country.

Mr. DEAN. There is a view that is heard all over the country that perhaps the panel is rewarding, rather than chastizing the rioters, by offering these programs, recommending these programs.

Mayor LINDSAY. That is a very negative view, I think. I certainly cannot agree with

it. That is a view that seems to say that the majority of Negroes in these communities that have had great depression and have existed with these ghetto conditions that have been growing up through the decades of inaction, seems to say that this is what all Negroes want.

Mr. NOVAK. Well, Mayor Lindsay—

Mayor LINDSAY. It is not true. The findings of the Commission are very clear that the majority and the vast majority of Negroes who live in these segregated and poverty stricken neighborhoods and these cities look forward to tranquility, to peace, but expect that the world at large will assist them in breaking out of the conditions in which they live. They cannot do it alone and it does require national action.

Mr. NOVAK. Mayor Lindsay, on this question of condoning violence, there is a statement in the report that suggests that "open defiance of law and federal authority by State and local officials resisting desegregation" has contributed to the lawlessness and the violence in the ghetto. Do you mean that places like Detroit and Newark, that there was lawlessness and violation of federal authority by the local officials?

Mayor LINDSAY. It is absolutely true, that violations of standards of conduct that have heretofore been laid down by Congress has been ignored very often by officialdom.

Mr. NOVAK. What violations—

Mayor LINDSAY. And it is largely true that white society in general has condoned a whole series of dreadful conditions to grow up over the years in these ghetto communities. The Commission was very clear—and let me be clear about this, too—in stating that lawlessness and violence in the streets cannot be tolerated and will not be tolerated, and that every necessary step will be taken to control it, and that when crimes occur in the streets they will be prosecuted. The Commission was clear also in stating that we are never going to solve this problem if we don't get at the root causes, and amongst the root causes is a whole history in the United States of poverty and segregation, and under this our attitudes on race that have grown up and have persisted, and we have got to get on with the job of breaking this down.

Mr. NOVAK. What flaunting of federal—going back to the specific question, Mr. Mayor—what flaunting of federal authority was there in Detroit where there was a very bad riot? Where did Mayor Cavanagh resist desegregation?

Mayor LINDSAY. The Commission is not talking about and did not even attempt to describe instances A, B, C, and D. The Commission does say that the national law in this country, and in most states and in most cities, the local law is that there cannot be discrimination. When a person seeks to get better housing or a person wishes better schooling, if that person happens to be a Negro, if there is federal or public monies involved in the housing or in the schooling or in whatever it happens to be, that law should be enforced. The law has never really been enforced. And it may be—I don't know—it may be that it comes close to being impossible to enforce it a hundred per cent, but there has not been strict enough enforcement, which has been a problem.

Mr. AGRONSKY. Mayor Lindsay—

Mayor LINDSAY. I don't think, however, if I may conclude that thought—and I think each Commissioner would feel the same way—that enforcement of criminal law is the answer. You have got to get, once again, down to the root problem, which is bad housing, deteriorated school systems in these cities, and joblessness.

Mr. AGRONSKY. Mayor Lindsay, there is another facet of the root problem, the bad housing, the deterioration of the cities and all that, it requires money to correct. You have said repeatedly in the past—and I would presume that you expressed this point of view when you were deliberating in the Commis-

sion—that we must reassess our commitments, our foreign policy commitments, our space commitments, if we are to deal with this problem. Now, the President has made it very clear that he is going to cut back and has cut back, indeed, in a number of his recommendations on dealing with the problems of the cities, because of the needs of Vietnam and defense and all the rest. Now, can we deal with both? Will the President deal with both? Does the Commission in any way have any idea how the President will react to this report?

Mayor LINDSAY. Well, I think that the Commission, and I as the Vice Chairman of the Commission, have done what we think is right. And I do hope that the Commission report, which says very clearly that there can be no higher priority than the mobilization of national resources and national will to cure the disease of the cities—I do hope it will have an impact. And that is why I said earlier that I think that candidates for national office, members of Congress and others, ought to address themselves specifically to what I think is the high goal that is laid down for the Nation in this report.

Mr. AGRONSKY. Do you feel the priorities are wrong?

Mayor LINDSAY. I personally think that there should be a reorientation of our priorities in the country. I believe that the sickness of our cities is as much an important part of our foreign policy as are events that happen beyond our borders. The image and look of this country abroad is just as important as the quality of our ambassadors in a particular embassy or any other aspects of foreign policy.

Mr. DEAN. Mr. Lindsay, one section of the report deals with the news coverage in ghetto areas, and all of us constantly hear admonitions that television should stay away from problem areas, that we have an incendiary effect in troubled areas of our cities. What is the Commission's view?

Mayor LINDSAY. The Commission's view is that mass media on the whole attempted to be constructive and affirmative in reporting honestly and factually the condition of the cities, riot conditions and riots when they occurred. The Commission finds also that mass media ought to take a look at itself, its own knowledge and information about what a ghetto is all about and what happens there on a twenty-four hour, weekly, yearly basis. The Commission found that there were instances from time to time of erroneous reporting or very fast, too fast repeating of rumors that turned out later to be false, thereby contributing to atmospheric conditions that were very bad indeed. The Commission recommended that mass media voluntarily examine itself and voluntarily create an institute for better exchange of information, training, technology, and all the rest. Speaking for myself and our own experience in New York, fortunately we had two peaceful summers in New York City, in the last two summers. Mass media played a role. Mass media in New York City was constructive, cooperated with the Mayor's Summer Task Force in the things that we are trying to do to keep it cool, things like the use of lights at night by television crews, the reporting of rumors. In New York City we had cooperation from the news media on that, with some exceptions. But on the whole it was good.

Mr. NOVAK. Mayor Lindsay, your report, the Commission report criticizes excessive use of force in riots, and it says—it condemns what it calls moves to equip police departments with mass destruction weapons. What are you talking about there? What police forces in what communities have been stockpiling mass destruction weapons?

Mayor LINDSAY. What weapons—the Commission chose very carefully not to go into any specific community and to describe in detail what weapons are being discussed, except three: tanks, machine guns, and high-powered single-action rifles.

Mr. AGRONSKY. You would—

Mr. NOVAK. Well, doesn't—

Mayor LINDSAY. And the Commission said very flatly that in crowded urban centers, if there is civil disorder, it must be controlled and control weapons are not these. Those are weapons of basic destruction. The Commission made that finding very flatly and very positively. And I think it is right. I agree with it.

Mr. NOVAK. You would not use tanks in New York City if a riot broke out of serious proportions this summer or any other time?

Mayor LINDSAY. No, sir.

Mr. NOVAK. Don't you think that this deprives the police, possibly, of a deterrent, of a question not of using it but of deterring riot action?

Mayor LINDSAY. I do not, I do not. Our effort in New York City is like the effort made by one of the members of the Riot Commission, the Police Chief of Atlanta, Herbert Jenkins. Our effort and his effort, and I believe of a great many other police commissioners and mayors in other cities, is to plan for civil order in our towns by positive police action and meaningful involvement of the total government and of the non-government, citizens and the neighborhoods. The Commission report recommends neighborhood city halls, which we're doing in New York. It recommends urban task forces, which we are doing in New York. The Commission report says very flatly that one of the problems is that the police office in the ghetto area receives the total burden on his shoulders for all of the hostilities and resentments of the community against authority. And why should the policeman have to carry that load? It ought to be shared by the total community.

Mr. AGRONSKY. Mayor Lindsay, I regret we are out of time. Thank you very much for being here to face the Nation.

ANNOUNCER. Today, on "Face the Nation," Mayor John Lindsay, of New York City, was interviewed by CBS News Correspondent Morton Dean, Robert Novak, Columnist for the Chicago Sun-Times Syndicate, CBS News Correspondent Martin Agronsky led the questioning.

RETRAINING INACTIVE HEALTH PERSONNEL

Mr. KENNEDY of Massachusetts. Mr. President, in his recent message on health in America, President Johnson outlined a 12-point "mobilization for health program." One aspect of this proposed program is the effective use of military health personnel leaving the armed services. Similar efforts could effectively be applied to the recruiting of inactive civilian health workers who could be returned to the health field through recruitment and retraining.

This is especially true of the females who, because of marriages and pregnancies, decided to devote their lives to their husbands and children. For many of them, their children are now in school or married. These mothers now have the time, or the real desire, to work again. The number of women in this category is large. In one heavily populated eastern seaboard State it is estimated that there are 10,000 inactive medical technologists. If only a small portion of them could be encouraged to return to work, the medical technology manpower shortage of that State could be appreciably reduced. This situation also exists for physical therapists, occupational therapists, and probably is the most common with nurses.

These inactive health workers all realize that after an absence from their

former jobs they need brief retraining to bring them up to date. Many are dissuaded from this retraining because it would involve a financial burden that they cannot afford. For those who have preschool children and must seek employment, the problem is compounded; for it would require babysitters while they are retraining, and after that while they are working.

Mr. President, it appears crucial that every effort be made to encourage these inactive health workers to return, if they are able, to active careers. These individuals represent a tremendous inert resource of health manpower. They should, and must be provided the incentives to become active practitioners.

I have previously indicated my own intention of introducing legislation to stimulate the development of retraining programs for inactive health personnel, and I welcome the support of the administration for this important work. We must all strive to alleviate the health manpower shortage, and this is one effective way of doing so.

WHITHER THE ALLIANCE FOR PROGRESS?

Mr. GORE. Mr. President, the United States should reaffirm its support of the political and social reforms called for by the Alliance for Progress, and should disengage itself from too intimate association with governments in power, particularly authoritarian governments.

These are the principal conclusions of the senior Senator from Tennessee from a 19-day trip through five countries of South America—Venezuela, Brazil, Argentina, Chile, and Peru. The visitor, a first-time visitor in this case, is struck by contrasts—in resources, geography, people, traditions, economies, and political systems. But one is also struck by several recurring themes. These are perhaps best expressed as a series of opposites: Democratic versus authoritarian governments, reforms versus tradition, U.S. influence versus U.S. overinvolvement in domestic affairs, military control versus civilian control, stable economic growth versus inflation, the U.S. balance of payments versus the Latin American balance of payments, economic integration versus economic nationalism, and agriculture versus urbanization.

These dilemmas call for reexamination of U.S. policies—the objectives of the United States in Latin America, the appropriate means to achieve those objectives, and the price that must be paid in political as well as economic terms. The urgency of such a reexamination is increased by the diversion of U.S. resources and energies to Vietnam and by the necessity to correct the imbalance of U.S. international payments.

Although one encounters a few complaints, Latin American officials generally accept the fact that the U.S. involvement in Vietnam dictates lower levels of economic assistance. Many of these officials say privately that they understand and sympathize with, or even support, the U.S. position in Vietnam, but they are unwilling to say this publicly because, as they explain, public opinion in their countries would be adverse to it. More than aid, officials in the countries

covered by this report are interested in political support, and in trade concessions or preference.

Of the countries visited on this trip, Venezuela, Chile, and Peru have democratic, popularly elected governments. Brazil and Argentina are governed by authoritarian regimes. The United States is identified with all of them.

To many Latin Americans, this appears to be a willingness on our part to support just any government that is not Communist. It at least raises the question of whether we really mean our many statements in favor of democracy, or so it seemed to this visitor.

Domestic government, good or bad, is preeminently a task for Latin Americans themselves, and there is frustratingly little that the United States can do about it. Nonrecognition of authoritarian or unconstitutional regimes is not an effective policy. The United States cannot very well indefinitely ignore the existence of a country as important as Brazil or Argentina, whatever its form of government. But there is a difference between maintaining correct diplomatic relations with a government and publicly identifying oneself as sympathetic.

The Alliance for Progress is a program of reform, calling for far-reaching changes in social structures, economic policies, and class relationships. Many of these go to the heart of the established order. They are painful to many of the Latin American upper class, and for this reason they are encountering stubborn resistance. The United States is again called upon either to act like it means what it has been saying or to reconsider its stated policies.

Nowhere is this dilemma greater than with respect to land reform. Comprehensive land reform involves a great many things—redistribution of land, credit, technical assistance, price policies, rural roads, marketing arrangements, among others. But most importantly it involves changes in land tenure arrangements. Two percent of the landholders in Peru for instance, own 75 percent of the land. In Chile and in other countries there are many, many families who try to exist in extremely marginal circumstances. The problem of tenure, then, is essentially one of redistribution. The greatest political and social need is the conversion of traditional peons into productive, responsible citizens. This appears imperative, survival of democracy requiring it.

Given the resources available to the Governments of Chile and Peru, it is unlikely that this can be done in any reasonable time period unless there is resort to expropriation without, at least in many cases, full and effective compensation. Inevitably, also, there are going to be cases of inefficiency, waste, and misallocated resources. Quite apart from the opposition of the landholding class, land reform is an enormously complicated undertaking involving the uprooting of centuries of tradition. It may even mean less production, at least for the short run.

In evaluating Latin American land-reform programs, it would be a mistake to apply U.S. standards and legal traditions, even subconsciously. The Chilean

and Peruvian land reforms are being carried out within the framework of different systems of law, and different legal and social traditions. The protection of the landholder written into the laws of both countries appears adequate. This, indeed, is the main reason the programs are moving so slowly in both countries.

It needs to be remembered that, at least in Peru, some of the large landholdings have come down more or less intact from the original grants of the Spanish crown—grants which consisted of a given number of hectares and Indians to go with the land. Furthermore, land in Peru is not taxed.

Finally, it needs to be remembered that the Latin Americans whom North Americans most frequently meet are from the upper class, many of whom feel betrayed by U.S. support of the Alliance for Progress. This is a natural phenomenon, because it is the upper-class Latin Americans who have the money to travel to the United States and who have business connections with U.S. banks and corporations. It is upper-class Latin Americans who speak English, who live in neighborhoods congenial to North Americans, and who are most likely to meet transient North Americans. This relationship is likely to give a distorted picture to North Americans who are not on their guard against it.

In almost every place visited on this trip, the United States appeared much involved in the country's internal affairs. In part, this has been deliberate; in part, inadvertent. In part, it has been by the U.S. Government; in part, by private enterprise and other nongovernmental institutions. This stems from friendship and a desire to be helpful, but also from a desire for non-Communist political regimes.

One of the most striking things to a first-time visitor to South America is the pervasive U.S. presence. In Venezuela, this takes the form of private investment. Caracas, for instance, is aglow at night with electric signs advertising Sears, Roebuck stores, Sherwin Williams paints, Singer sewing machines, American automobiles, Coca-Cola soft drinks. And aside from these consumer products, there is the overwhelming fact of U.S. dominance in oil and iron in Venezuela. In Chile and Peru it is copper.

For both political and economic reasons, U.S. policy in Latin America has long emphasized the need to attract foreign private investment. Economic development through private, rather than public, investment is more in accord with U.S. traditions. Further, there are insufficient public funds with which to do the job in the absence of private investment.

But this has a political price, even in countries such as Venezuela where the climate for private investment is generally good. This price is that Latin Americans, although welcoming the fruits of private investment, tend to get a little uneasy that the resources and the economies of their countries may be gradually slipping away from them. A Brazilian spoke of his people's desire to protect their industries from what he called denationalization. This is a natural reaction of people, particularly nationalistic people, who see most of their resources and industries owned by foreigners. It

counsels a policy of restraint on the part of the U.S. Government and U.S. business in pushing too hard for more private investment or for more favorable conditions for private investment. At the same time, one must recognize that a slowdown in private investment means a slowdown in both Latin American economic development and in the supply of Latin American raw resources for U.S. industry. One possible way to ameliorate, if not to solve, the problem might be for U.S. firms to operate more through joint ventures, several notable examples of which one can now find.

Aside from the problem of U.S. private business, the U.S. Government presence in Latin America, generally speaking, appears too large. Embassies, AID missions, and military groups appear swollen. This is both cause and effect of a too-intimate involvement in the internal affairs of the countries in question. Because in the beginning we wanted to get more involved—because we wanted to help cooperative governments reorganize their systems of tax collection or education or agriculture or military training—we expanded the military groups and the technical assistance component of the AID missions. Technical assistance by definition means technicians. And in recent years, they have increasingly been working in administrative jobs within government ministries. Further, as techniques of foreign aid have become more sophisticated and complicated through the use of program loans—that is, loans designed to finance selected capital goods imports with the local currency proceeds going into high priority local programs—the degree of U.S. involvement in the country's budgetary and fiscal processes has inevitably grown. This, in turn, has meant that public identification of the United States with the policies of a particular government has also grown. It means, for example, that the United States is widely blamed, perhaps almost as much as the Government of Brazil, for the fact that real wages in Brazil are lower now than in 1964. Yet continuance of this trend would indicate explosive conditions.

Fortunately, there are some efforts to disengage. The U.S. Ambassador to Brazil, for instance, has begun to reduce U.S. Government personnel in Brazil. The Department of Defense is in the process of reducing U.S. military personnel—in some countries by as much as one-third. In still other countries conscious efforts are being made to open or preserve political options for the United States.

These cutbacks will be made at the cost of losing some specific opportunities to influence Latin-American government policies; but it is hard to see how they can fail to improve the overall position of the United States. This is true across the board, but especially with respect to the military groups. The U.S. military has long argued that its presence in Latin America gives the U.S. Government a source of influence on Latin American military establishments. But very few instances were cited in support of this argument. The more common result, one is led to believe, has

been that the Latin Americans have influenced the U.S. military, rather than the other way around.

In every country visited, the military establishment is a political force, ranging from minor in Chile to nearly total in Argentina. This fact is closely related to the problem of authoritarian versus democratic governments discussed above. The military is essentially an antidemocratic force, and the authoritarian governments are those dominated by the military. The political power of the military is also related to the problem of military expenditures and their impact on economic development.

If one concludes that the stated U.S. policy of support for democratic forces in Latin America is a correct one, then it follows that one must view military government and military influence on civilian governments with disfavor. U.S. policy has generally been directed toward efforts to charge the Latin American military through training programs, through personal contacts between United States and Latin American military officers, through orientation tours in the United States, through promotion of civic action programs, and through the supply of military equipment. All of these things have been designed to make the Latin American military more professional and less political. There is little evidence that they have had significant success. Where the Latin American military has a tradition of professionalism, as in Chile, or where substantial progress has been made in subjecting it to civilian control, as in Venezuela, this has been the result of Chilean and Venezuelan—not United States—efforts.

Perhaps it is but natural for a U.S. citizen to think that the primary role of the Latin American military ought to be limited to maintaining internal security. The United States cannot enforce this limitation on the Latin Americans, but it can enforce it on its own military programs in Latin America. Insofar as they are related to internal security, civic action programs are useful if expertly carried out, because they help to create a political base for the government among the peasantry and to make it more difficult for guerrillas to win peasant support.

In countries with large primitive, non-Spanish-speaking populations, such as Peru, the military also performs a useful secondary function of contributing to the cultural integration of the society. Army recruits are taught hygiene, taught to speak Spanish, to think of themselves as Peruvians, and they may even be taught a useful civilian skill—carpentry, auto mechanics, et cetera—which enables them to contribute to the economic life of the country after their military service. The utility of this training in civilian skills is not, of course, limited to countries such as Peru, but it could probably be done more cheaply and quickly through civilian schools.

Perhaps the most acute current problem of military policy in Latin America has to do with sales of sophisticated equipment, particularly supersonic aircraft. The problem arises because of the drive within the Latin American military

forces for modernization of their equipment. U.S. policy has been to delay this process as long as possible. This policy has met with only partial success, partly because of the political power of the military and partly because European governments and manufacturers, the French in particular, are conducting a strong sales drive for aircraft and tanks. Peru reportedly has already signed an agreement to buy Mirage aircraft, and Brazil may follow suit.

From the point of view of economic development, it appears most unfortunate that Latin America is spending scarce resources on the purchase of supersonic aircraft which serve only as expensive playthings for air force officers. From the point of view of social justice and morality, it is outrageous that money would be squandered on such items when so many people are half starving in pitiful shacks. If the Latin Americans want to do this, and if the French want to lend themselves to it, there is nothing we can do about it. But we do not have to be a part of it ourselves.

It is true that Latin American military forces by and large have obsolete equipment and that if the air forces, for example, are going to be modernized, there is scarcely anything less than supersonic available to them. This dodges the question of why Latin Americans need fighter-bomber air forces at all. Such forces are useless for counterinsurgency or civic action. They are good only for fighting each other, and there are still enough national rivalries in Latin America that the acquisition of sophisticated equipment by one country leads to its acquisition by a second and a third. Indeed, the United States bears a considerable share of the responsibility for the current situation. A U.S. sale of A-4 aircraft to Argentina in 1966 led, at least in part, to a Chilean purchase of British Hawker Hunters and this in turn led, at least in part, to the Peruvian purchase of Mirages. Thus, a useless, expensive, even dangerous, armament race is generated and fed.

The question remains as to what the United States does about the factual situation which now exists. The Congress has expressed itself on this in both the foreign aid authorization and appropriation acts for the current fiscal year through provisions requiring the reduction or termination of U.S. economic assistance to Latin American countries which purchase sophisticated military equipment or whose military expenditures generally interfere materially with economic development. This whole question is intimately related to the political power of the military in Latin America. There seems little doubt that the civilian authorities in Peru, for example, are somewhat less than enthusiastic about the Mirage purchase but they did not have sufficient control of the military to prevent it.

But few governments in Latin America have yet learned how to control severe inflation, without stifling economic growth and depressing wages. This is perhaps the most severe dilemma of all. Of the countries visited on this trip, only Venezuela has enjoyed relative price stability—and Venezuela is unique because of the large income it enjoys from

petroleum and iron ore. In the others, inflation varied in 1967 from 20 percent in Peru to 27 percent in Argentina. Inflation of this magnitude is a fairly recent phenomenon in Peru, but in Brazil, Argentina, and Chile, even rates of 25, 27, and 22 percent respectively, represent triumphs of stabilization programs. It is perhaps significant that in Brazil and Argentina, where authoritarian governments are in power, these triumphs have been achieved principally at the cost of depressing wages which were at a bare subsistence level to begin with. Automobile workers in São Paulo, for example—the elite of the Brazilian labor force—earn an average of \$150 a month, while a Ford car costs \$7,500.

It is apparent that it is easier to avoid inflation than to stop it once it has started. But the fact is that it has started—indeed, it has been chronic—in many countries of Latin America, and more imaginative study needs to be given to humane, socially, and politically acceptable ways of stopping it.

Everywhere on this trip, there was concern over the effect of measures to correct the imbalance in U.S. international payments. This concern takes several forms, but they are all related to the fact that many Latin American countries also have critical balance-of-payments problems and the process of correcting the U.S. problem may aggravate the Latin American problem.

Despite the political liabilities of private U.S. investment mentioned above, it does play a crucial role in Latin American economic development. More immediately, it is an important factor in the Latin American capacity to service foreign debts and to finance essential imports, most of which come from the United States. Any substantial curtailment in the flow of private investment, or any substantial increase in the repatriation of profits, would have severely adverse effects.

The policy of tying U.S. assistance to procurement in the United States frequently serves to make such assistance more expensive—that is, Latin Americans get fewer goods per million dollars borrowed. Although Latin Americans would like to be able to use AID loans on the basis of worldwide bidding, they understand the unwillingness of the United States to see such funds spent in Europe or Japan. As an alternative to the present policy, they would like the opportunity to use at least a portion of AID loans for procurement within Latin America. This would make it possible for a portion of a loan to, say, Chile to be used for the procurement of machinery in, say, Brazil. The advantage of such an arrangement from the Latin American point of view would be that it would stimulate development in both Chile and Brazil and would contribute to the process of economic integration. This is a suggestion which is worthy of consideration, especially if techniques can be worked out to insure that AID funds spent in third countries find their way back to the United States and not into European banks.

More and more U.S. aid programs for Latin America tend to be balance of payment, or budgetary, aid that operates as a subsidy for U.S. exports.

At the same time, vigorous action is obviously necessary to protect the dollar. Latin Americans should recognize that a devaluation of the dollar would have an even more adverse impact on Latin America than is likely to be produced by any of the measures currently being taken to protect the dollar. Still, it would be a pity if we create problems for others in the process of solving our own. Yet, the irony of it is that in trying to help solve so many problems for other people, we have created a major problem for ourselves. To borrow a phrase from the past, there must be a way to avoid a second crucifixion of mankind on a cross of gold.

The industrial growth of Latin America has come about mainly through the development of industries which produce goods to substitute for imports. These have been the easiest industries to establish because they could be assured of a market through either tariffs or other restrictions on competing imports. To the extent to which they reduce imports, they also ease the country's balance-of-payments position. Experience indicates that this latter advantage may be more theoretical than real, because industrial development frequently increases rather than reduces the demand for imports.

In any event, almost everywhere on the trip, industrial development appeared to have gone about as far as it could go on the basis of import substitution and that further growth was dependent on the development of export markets. These markets may be found either in other Latin American countries or in the industrialized countries of Europe, North America, or Japan. The less developed countries of Asia and Africa presently offer scant prospects. Export markets in other Latin American countries can best be developed through Latin American economic integration. Export markets in the industrialized countries can be facilitated, of course, by a system of trade preferences on manufactured and semi-manufactured goods. This appears uppermost in the thoughts or plans of Latin American officials. It may become necessary for the U.S. Government to discourage this.

Latin American officials uniformly endorse economic integration—some with considerably more enthusiasm than others—but the process is moving slowly. In part, this is because intra-Latin American trade is a low percentage of Latin America's total foreign trade. The countries of Latin America have traditionally traded more with Europe and the United States than with each other. Geography means that intra-Latin American transportation is costly and difficult.

But Latin American economic integration is a slow process also because of the resistance of the Latin American business community. Because Latin American industrial development occurred on the basis of substituting for imports behind high protective walls, many Latin American businessmen are either unable or unwilling to compete with their neighbors.

Some progress has been made in the development of complementarity agreements whereby, for example, Brazil con-

centrates on the production of certain types of business machines and Argentina concentrates on the production of other types, with free trade between the two.

On the western side of the continent, Chile, and Peru have joined with Ecuador, Colombia, and Venezuela in a regional Andean integration scheme which is based on the theory that the process of integration will move more smoothly in a smaller unit than in a larger one.

So far as developing industrial export markets in North America and Europe is concerned, Latin Americans generally advocate a system of trade preferences. Such a system could take many forms, but all of them would have the common element that exports of manufactured or semimanufactured goods from Latin America would enter industrialized countries at a preference over similar goods from other industrialized countries. Shoes from Argentina, for example, would come into the United States at a lower tariff than shoes from Italy.

Such an arrangement, of course, is directly contrary to the well-established U.S. trade policy of most favored nation treatment. Yet several African countries enjoy a roughly analogous arrangement in Europe, and both Europe and the United States are under increasing pressure from less developed countries generally to establish such a system on a worldwide basis.

It seems unwise to abandon the most-favored-nation policy. Such an abandonment has within it the seeds of the development of rival world trading blocs with all their disadvantages. Preferential treatment for Latin American exports also carries with it the danger of further slowing the process of Latin American integration through continuing a form of protection for high-cost Latin American producers and reducing their incentives to become more efficient.

On the other hand, one must recognize the seriousness of the problems created for Latin America by its terms of trade and the necessity to expand its exports of industrial products. These problems are sufficiently serious that they warrant further study by the executive branch and the Congress.

One of the most striking aspects of Latin America is the growth of its cities. Caracas has grown from 500,000 in 1950 to 1,700,000 today. Greater Buenos Aires has a population of 7,000,000—one third the total of Argentina. Sao Paulo has more than 5,000,000—up 67 percent since 1960. Rio de Janeiro has more than 4 million; Santiago and Lima, 2,000,000 or more each. The new cities of Latin America are also growing. Construction of Brasilia was only completed in 1960, and today the city has 350,000 people. Ciudad Guayana, the heart of a new industrial complex in Venezuela, had 4,000 in 1950; today it has more than 100,000 and it is expected to have 250,000 by 1975.

This is in part a consequence of high rates of population growth generally on which there has been superimposed a significant migration from rural to urban areas. The need for jobs for this rapidly expanding labor force is immense—1 million a year in Brazil alone simply to keep unemployment from get-

ting worse. The needs for development of urban housing, health services, educational facilities are equally immense.

This implies a policy of rapid industrialization. But at the same time, the needs of the rural areas are no less acute—and those areas are perhaps even more explosive. So far, at any rate, there has been more rural than urban insurgency, and at least one highly placed Venezuelan says land reform is the fundamental cause of the failure of Castroite insurgency in his country.

Further, food production in Latin America as a whole is not keeping pace with population growth. Disruption of long-established agricultural systems through land reform could conceivably lead to short-term decreases in production. Yet land reform appears socially and politically necessary.

On all sides one sees and feels the dilemma in which Latin American, as well as United States, economic planners find themselves in attempting to apportion scarce resources. It is difficult to make a generalized judgment on this problem, but in considering it one should not lose sight of the fact that our times are characterized by a rising tide of human demand and hope, the rapidity and urgency of change, a phenomenally enlarging capacity to produce, to distribute, to communicate, to enlighten. In all of this, the United States must be a good neighbor.

WATERSHEDS: MANMADE WONDERS

Mr. NELSON. Mr. President, one of my young constituents—Warren Lee Petryk, of Boyceville, Wis.—was recently awarded the prize of first runner-up in the statewide Wisconsin soil and water conservation speaking contest. The speech which brought this honor to Warren is entitled "Watersheds: Manmade Wonders" in which the author displays not only a firm grasp of the importance of well-managed watersheds but a unique appreciation of the need to conserve our natural resources. I want to bring this fine speech to the attention of my colleagues and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

WATERSHEDS: MANMADE WONDERS

What is a watershed? Many people would tell you, "It is a place farmers plant trees and save our water for us to drink." Oh, but it is so much more than that! It is an ability that God gave man to save our beautiful and wonderful natural resources, including the life-giving substance—Water. Watershed is a new term to many people.

Here are the signs of a good, well-managed watershed: (1) The plant cover is thick and heavy. (2) Streams and lakes are clear. (3) The soil is spongy underfoot. (4) The streams run even during the dry season. (5) The banks of the streams are stable and very little sediment is carried off them. (6) Fish are found in cool, clear ponds. (7) On the slopes is nutritious plant cover for the wildlife. (8) It is well-protected from fire.

How can this be brought about? There must be planned use of the soil and plant cover if the water flow is to be sustained. On the croplands, we must use good farming methods such as strip-cropping, terracing,

and we must plant grassed waterways where gullies had been to prevent erosion and waste of precious water. On non-farmed lands, which are very important to the watershed, the various uses of the land, such as grazing cattle, timber-cutting, and hunting and fishing must be carried on so as they do not speed up water runoff, encourage erosion, or cause water pollution. These are the things we can do and we must do if soil and water conservation is to be upheld in our watersheds.

All of this is a watershed, but put quite simply, a watershed, or drainage basin, is an area of land from which a stream gets its supply of water.

In a well-managed watershed, when it rains, the soil works as a "blotter." It soaks up the rainwater and uses it for plant use. The excess runs slowly through the plants to drain into the stream. The water runs slowly, thus preventing rapid rising of the stream which causes floods. This also prevents sediment from being carried off the stream banks and blocking our pure water reservoir. When this happens we must ration our community's water. So, a well-managed watershed also determines how much pure, clean, sparkling water we get.

Sediment—or good healthy soil carried off by water—is one of our major reasons to have a watershed. Sediment has blocked up hundreds of reservoirs all over the country. To stop this carrying away of soil, we must use terracing, strip-cropping, and contour farming. And to make our stream banks stable, we plant and maintain trees, shrubs, and grass.

When sediment blocks reservoirs, it costs much money to filter and purify the muddy water. Building up of sediment chokes our streams causing floods. When this happens, the streams back up, costing us millions of dollars each year to clean up. Sediment is one reason why our streams and lakes do not have the fish population they used to. In some places, sediment was so bad that it actually choked fish to death! And costs to dredge sediment from clogged reservoirs is from 25 to 50 cents per cubic yard!

In closing, may I quote from a United States Department of Agriculture bulletin: "It is up to all—each one of us—to give careful thought and constructive support to good watershed management. After all, what happens to our watersheds can well determine whether our communities, and Our Nation, prosper and progress or go downhill with wasted waters to poverty and oblivion."

A NEW POLICY FOR INDIANS?

Mr. HANSEN. Mr. President, I wish to comment on President Johnson's message to the Congress concerning Indian programs as proposed by the administration.

I commend the President for giving his attention to the much-overlooked problems facing the American Indian and I note that the President's message was coincidentally submitted one day after the Senate Interior Committee, of which I am a member, began extensive hearings on Indian policy.

These hearings focused on Senate Concurrent Resolution 11, submitted by the Senator from South Dakota [Mr. McGOVERN]. I have asked Senator McGOVERN for the privilege of cosponsoring the resolution, which establishes a national policy for the American Indian and Alaskan natives.

In so doing, I salute his leadership in this area and give recognition to the excellent provisions which are found in this policy resolution.

Among these provisions is the explicit recognition that Indian governing bodies

should be recognized as having the full authority "to determine the extent and manner of utilization of available resources for their communities."

Further, the policy resolution replaces the ill-considered termination policy which was passed many years ago by the Congress, but which caused great resentment and insecurity among Indian peoples. The old termination policy "poisoned the well" for effective dialog between Indian groups and the U.S. Congress.

Attention today to a new, enlightened policy which does not shirk from a full responsibility on the part of the U.S. Congress for Indian programs is a step in the right direction.

This new policy dispenses with notions of paternalism and emphasizes the need for self-help, and self-participation, coupled with full cooperation between Congress and Federal agencies.

During the course of the investigation by the Committee on Interior and Insular Affairs, several days ago, eloquent testimony was presented by both Indian citizens and whites indicating that the paternalistic basis for Federal welfare programs was no longer meeting the needs of the American Indian on other disadvantaged groups.

Paternalism was soundly denounced as a bankrupt policy. New techniques with special emphasis on jobs and education are now being examined by the Congress in order to break the growing vicious circle which comes from dependence on the dole.

In a separate investigation conducted by my office recently, evidence was uncovered of bureaucratic disease. Duplication of effort and a lack of coordination between a multiplicity of Federal programs is extensive. Up until the time of a conference which I sponsored in my office, many Federal officials from a variety of agencies, responsible for programs on the Wind River Indian Reservation of Wyoming, had never been aware of each other's existence in Washington, much less the goals and resources they had in common.

This conference uncovered instances of Federal money which was going begging for takers while urgent needs remained unfulfilled on the reservation.

For instance, Federal housing money had been appropriated, but the programs specified by the Department of Housing and Urban Development were ill suited for the specific needs of the Wind River Indian Reservation.

Coordination between HUD and the Bureau of Indian Affairs with the assistance of the Office of Economic Opportunity could and should have identified and solved this problem.

Unfortunately, the President's message on the American Indian reflects this all too familiar pattern. The President cites a continued emphasis on a number of existing Great Society programs. At the same time, however, the Congress has been presented with a possible cutback of Federal funds to schools in federally affected or impacted areas, such as the Wind River Indian Reservation. This proposed appropriation cutback has a much more dramatic effect for the Indian of the reservation than does any amount of escalating rhetoric in Wash-

ington about the severity of the long-neglected Indian problems.

Fortunately, the Senate Appropriations Committee, after urgings from myself and other Senators, has restored funds for Public Law 874, which are necessary in order for schools on Wyoming's reservation to remain open during the last 2 months of each school year.

Without the President's support for this specific need, however, there remains an unfortunate possibility that the House of Representatives will eliminate these funds when the appropriations bill goes to conference committee.

The Indian people of our State and the Nation will get little solace from high-blown messages sent down from Washington. What is needed, is a sustained and dedicated effort to get at the root of the many problems facing Indian peoples.

This effort must proceed on a continuing basis and must be sensitive to individual and local needs. Multiplication of Federal programs at the top will only serve to make the bureaucracy even more topheavy and inefficient.

But I am hopeful that out of all the rhetoric of recent days will come some lasting rededication on the part of responsible people.

Mr. President, I invite the attention of the Senate to a poem which was printed in a recent newsletter published by St. Michael's Center in Ethete, Wyo., which is on the Wind River Indian Reservation.

This poem, more than any polished pronouncements from Washington, issues a call of urgency and responsibility to every American citizen. It says:

Crowded city people—we know
you need our mountains
clean air
and miles between each other . . .
If only we could share.

Our miles bring loneliness;
No jobs are in the mountains,
And you can't sell clean air.
If only we could share.

Who needs our common sores?
Dirt and cold and
Not-knowing-how?
Drinks and drugs to forget—
We share.
Oh, Lord, how we share!

VACATION TOUR OF WYOMING BY LIGHT PLANE

Mr. McGEE. Mr. President, the wonders of Wyoming are due for a new style of vacationing enjoyment this coming June, when private pilots undertake a flying tour of the State sponsored jointly by the State Aeronautics and Travel Commissions and the Aircraft Owners and Pilots Association. The AOPA Pilot has detailed this unique travel adventure in an article in its March issue. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WYOMING ORGANIZES VACATION AIR TOUR

A vacation tour of Wyoming by light-plane, that is beginning to arouse the interest of travel enthusiasts throughout the country, has been scheduled for June 23-29. During the week-long adventure, partici-

pants will be treated to some of the most unusual and spectacular scenery in the United States yet they will be freed from the responsibilities of planning a complete vacation. The tour will begin at Casper where, at a reception and banquet, a welcome will be given by Gov. Stan Hathaway.

FAA and Wyoming Aeronautics Commission personnel will guide, instruct and accompany the tour; the Weather Bureau will brief touring pilots. The itinerary that has been published by cosponsors, the Wyoming Aeronautics and Travel Commissions and AOPA, is highlighted by visits to some of our most outstanding national attractions, for example:

Devils Tower, established by President Theodore Roosevelt as the first U.S. National Monument in 1906. Formed 50 million years ago by eruption of molten rock, the fluted tower rises 1,280 feet above the Belle Fourche River in northeastern Wyoming.

Yellowstone National Park, designated by President Ulysses S. Grant in 1872 as this nation's first National Park. Within these boundaries are found Old Faithful; Grand Canyon of the Yellowstone River, 24 miles of sheer rock walls; and Yellowstone Lake.

Grand Teton National Park, located in the northwestern part of the state, just south of Yellowstone National Park. The park is domi-

nated by the Teton Range; largest peak in the range is Grand Teton, which rises to 13,766 feet.

Tour reservations for 100 airplanes (accommodating approximately 300 people) will be accepted on a first-come first-served basis. Airplanes must be capable of operating at 10,500 feet altitude (no oxygen required), and pilots should bring their own tie-down equipment. (A special communication/intercom frequency has been designated for pilots' use.) All-inclusive costs (transportation from airports to motels, lodging, meals and entertainment, gratuities, etc.) are as follows: single, \$173; double with two beds in room, \$280; triple in separate beds, \$388. Reservations should be sent to Wyoming Air Tour, 2320 Capitol Avenue, Cheyenne, Wyo. 82001. (Pilots must arrange to fly their own or rental aircraft.)

Wyoming is a state of high plains, mountains, and occasional badlands. The climate is cool and dry, with local variation because of altitude. At high elevations, freezing temperatures may be encountered any month. Annual average rainfall is low. A variety of wildlife is to be found throughout the state: mule and white-tailed deer, elk, black and grizzly bear, mountain sheep, antelope, mountain lion, moose, grouse, rabbit, and wild turkey. Natural lakes and streams have trout, bass and walleye.

Participants in the Flying Vacation Tour of Wyoming will have an opportunity to take a backward look at history. Sights of cowboys, rodeos, Indians in colorful dress, dude ranch life, rugged countryside should conjure up images of the Old West.

The Wyoming air tour has been designed to introduce participants to the culture and development and main vacation areas of the state. Actual flying time should be about eight hours.

REPORT OF JOINT ECONOMIC COMMITTEE ON USE OF FOREIGN CURRENCIES AND U.S. DOLLARS IN 1967

Mr. HAYDEN. Mr. President, in accordance with the Mutual Security Act of 1954, as amended, I ask unanimous consent to have printed in the RECORD the report of the Joint Economic Committee, concerning the foreign currencies and U.S. dollars utilized by that committee in 1967 in connection with foreign travel.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS BY THE JOINT ECONOMIC COMMITTEE, U.S. SENATE, BETWEEN JAN. 1 AND DEC. 31, 1967

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
W. E. Brock 3d:											
Brazil	Cruzeiro	604.26	223.80	94.50	35.00	27.00	10.00			725.76	268.80
Puerto Rico	Dollar		24.15		5.00				3.00		32.15
Subtotal			247.95		40.00				3.00		300.95
Jacob K. Javits: Brazil	Cruzeiro	229.50	85.00	170.10	63.00	94.50	35.00	124.20	46.00	618.30	229.00
William S. Moorhead: Brazil	do.	633.00	234.44	301.00	111.48					934.00	345.92
Henry S. Reuss:											
Brazil	Cruzeiro	410.00	151.85	175.00	64.81			6.55	2.42	591.55	219.08
Netherlands	Guilder			128.15	35.70					128.15	35.70
United Kingdom	Pound	7-10-0	18.00	14-0-0	33.60			5-10-7	13.20	27-0-0	64.80
Subtotal			169.85		134.11				15.62		319.58
Daniel Szabo:											
Belgium	Belgian franc	5,268	106.00	8,830	178.00	547	11.00	250	5.00	14,895	300.00
France	Franc	200.50	40.92	170.00	34.69	51.00	10.40	43.50	8.87	465.00	94.88
Germany	Deutsche mark					2,071.80	521.47			2,071.80	521.47
United Kingdom	Pound	6-1-0	16.94	3-9-3	9.66	3-5-3	9.15	1-0-5	2.85	13-15-11	38.60
Subtotal			163.86		222.35		552.02		16.72		954.95
Aurelio Peccei, Italy	Lira		150.00			582,300	931.68			591,675	1,081.68
Kenneth Younger: United Kingdom	Pound		150.00			268-16-0	751.47			322-11-3	901.47
Total			1,201.10		570.94		2,280.17		81.34		4,133.55

¹ Cost of official dinner given by Senator Javits on November 23.

² Round trip transportation purchased by State Department.

³ Testified at hearings before the Subcommittee on Foreign Economic Policy.

⁴ \$150 advanced by U.S. embassies before departure for the United States (3 days per diem, at \$50 per day)—no breakdown furnished the Joint Economic Committee. For accounting purposes entire amount included under lodging.

RECAPITULATION

Foreign currency (U.S. dollar equivalent)

Amount
4,133.5

WILLIAM PROXMIER,
Chairman, Joint Economic Committee.

RETURNED PEACE CORPS VOLUNTEERS

Mr. McGEE. Mr. President, it is estimated that by 1980 there will be 200,000 returned Peace Corps volunteers at home in America. Right now there are 15,000 returned Peace Corps volunteers in the country. Their exploits abroad, which have brought great credit to our Nation and to themselves, are well known. Mr. President, there is evidence the returned volunteers are coming home aware of many problems, keenly motivated to work for solutions. Mademoiselle magazine recently published an article on the

returnees by Judith Harkison which tells the story very well.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE MIDDLE-CLASS: REVOLUTIONARIES ARE HOME—PEACE CORPS RETURNED ARE PUTTING INTO PRACTICE HERE WHAT THEY LEARNED OVERSEAS

(By Judith Harkison)

"Since I've been back, my friends don't understand me and I don't understand them," claims a social-service worker in Austin. "What they really care about is buy-

ing draperies and living-room furniture. I'm interested in what's happening in the world."

In New York, a career girl discovers "a nine-to-five job is so much less demanding, you almost feel guilty. It leaves a vacuum in your mind."

A Washington, D.C., bachelor confesses: "You're pretty well ready to tell your family that you're not going back to what you were brought up to be—you're going to do what you really want."

Speaking out are three of the 15,000 Returned Peace Corps Volunteers (RPCVs), back from their two-year work projects in East Africa, Latin America, or the Middle East. Having learned overseas that one person can effect change and having seen the results of it, they have acquired confidence

in themselves and are looking for action. Usually they turn sharp, discerning eyes on America asking: "Where and how do we fit in?"

Because service in the Peace Corps tends to focus on career interests that often require further studies, one out of three volunteers continues his/her education afterward. A third of these pursue social and area studies, a fifth go into education, and 14 percent seek technical training. In 1967-68, 75 colleges and universities (including Harvard, Columbia, M.I.T.) will have offered 350 scholarships, assistantships, or fellowships exclusively to ex-volunteers. Several schools give anywhere from four to nine graduate credits for Peace Corps service (among these are Michigan, Syracuse, Georgetown, Cornell). The Ford Foundation created a program of Study Fellowships for International Development for RPCVs.

Others head for poverty pockets in city ghettos and underdeveloped rural areas; few return to their home towns. They settle primarily in teaching, social service, public health, government, and War on Poverty projects.

Most volunteers come from professional and middle-income families (80 percent have baccalaureate degrees, the majority in liberal arts), and they are indifferent, at this point, to the affluent life of their parents. They grew up with it and are bored with its trifling concerns. They don't want to settle down; they want more experience and travel. Said one early returnee: "The Peace Corps volunteer is a middle-class revolutionary. He's not the kind of guy to go out and burn Newark down, but he wants to change things."

Is the return to America anticlimactic after the unique and challenging experience RPCVs have had in the slum, jungle, or bush of an underdeveloped nation? Are they having difficulty finding similar satisfaction at home?

For most of them, the answer is a definite "No," although a few did feel some reverse culture shock at first. But the celebrated "re-entry crisis," during which time the returnee allegedly has trouble communicating, getting a job, and finding himself, has been exaggerated. "People who experienced the most shock had problems before they joined the Peace Corps," said a returnee. And a quiet, personable Peace Corps couple from Oregon agrees: "We didn't look at the United States with different-colored glasses when we returned, because we didn't have on different-colored glasses when we left."

Other than the discovery of Teflon frying pans, color TV, New York City's talking trash cans, or air-conditioned buses, the impact was caused generally by the shift from a foreign culture of individuality, leisurely pace, and hospitality into the American tumult of schedules, conformity, noise, tension, and impatience. In addition, most volunteers were dismayed by their friends' preoccupation with security and materialism, and their lack of interest in social problems.

"I just couldn't get over how provincial, how narrow, how utterly uninformed and uninterested most people I met were about world affairs, or even national affairs," one said in bewilderment.

Most RPCVs are finding jobs (albeit with effort) that are not only stimulating and responsible, but are in many cases directly parallel to their overseas experience. For example, Washington lawyer Bruce Patner, who laid the groundwork in Peru for banks to begin financing low-cost housing developments, was sent to Los Angeles after the Watts riots by the Office of Economic Opportunity, to do exactly the same thing: he rooted out the leadership, identified the complications, and helped to set in motion the financial mechanism for rebuilding the area.

Soon after his return to Portland, Oregon, Phil Peters received a telephone call: "We're

setting up a local migrant league. Weren't you a Peace Corps volunteer?" For two years, Phil assisted the 30,000 Mexican migrant workers who arrive in the Willamette Valley each summer; since August, he has been developing training programs for a community-action center. Both jobs are extensions of the PC work he did in a Guatemalan village.

On Chicago's festering Division Street, Patricia McMahon works among the Puerto Rican poor, helping them to help themselves. She did much the same thing in Honduras, "but it is more difficult here," she believes, "because too many promises have already gone unfulfilled."

Although as an Irish Catholic she had automatically opposed birth control, her Honduran experience convinced her that it is an essential element in the welfare of the poor. On Division Street, she is encouraging family planning among the Puerto Ricans, in whose culture masculinity is measured by the number of offspring produced. Patricia has also learned to accept all invitations of hospitality, as a gesture of confidence, even if it means the host may be going without his next meal and Patricia may be drowning in 12 cups of coffee and 12 tacos each day.

When Tom Oliver returned from Nigeria, he knew he wanted to make a contribution to society's betterment. There were, in his view, two ways of going about it: either picket the power structure from the sidewalk or join the Establishment and try to improve the system from within. He joined Volunteers in Service to America (VISTA)—and thus the Federal Government—as assistant to the director of special projects in Washington. His job is to expand the role of the VISTA volunteer—who is doing the same thing in Harlem that other young Americans are doing in the Rio slums.

VISTA has been called "the stepchild of the Peace Corps," for it was the Peace Corps that focused national attention on poverty-ridden regions and served as a model for its domestic counterpart. "Between the two," Tom says, "the tougher game is in VISTA" because "you don't have the glamor of working overseas in a foreign language and culture. Here you have different cultures, but it's much less exotic. The problems in this country are more real in that they affect you closer to the stomach. It's your country, your city, and your block, whereas, over there, it's their country and their problem. You'll do what you can while you're there but eventually you leave, whereas you never leave VISTA territory; there's always New York."

Tom studied political science at Bowdoin College, graduating in 1964. He and the former Sue Kintner (Middleburg, '64) were married that summer, then went into Peace Corps training and departed subsequently for Nigeria, where they taught in a secondary school.

Like her husband, Sue Oliver draws on her Peace Corps experiences in her job with Trans-Century Corporation—a privately owned company that plans and manages projects aimed at improving social and economic life in the United States and abroad. Its headquarters are in an aging storefront office in the heart of Washington's slums. Sue, along with several other returned volunteers, is working to establish remedial education for D.C. highschool dropouts, basic instruction and counseling for the unemployed, an educational clinic in the Bahamas, and a credit system for the poor.

Trans-Century's director of recruitment is another RPCV—lanky, spectacled Dick Irish, who previously worked at Peace Corps headquarters recruiting staffers. "I interviewed 600 returned volunteers. Three brought up salary, none mentioned benefits. They ask, 'How much independence will I have? Is the responsibility significant? Is the work important?'"

It is not surprising that returnees hope to find jobs that offer authority and a chance to manage something on their own. Overseas,

in the absence of close supervision, very often alone, the volunteers relied essentially upon their own resources. Many held responsible positions: teachers often doubled as school administrators; community workers became assistants to the village mayor. "In Liberia, we were somebodies," says Lorraine Bouffard, of Hartford. "In a few villages we visited, we were the first white people they had ever seen. At home, you're just another American. You look around and say to yourself, 'Where's the band?'"

RPCVs don't mind anonymity so long as there is room for flexibility and personal initiative. "We don't feel the need for fancy job titles," said one. Sue Oliver thinks of it as having a job where your role is not defined: "If it looks exciting, you try it. . . . If it smells good, you just follow your nose." And another says, "I can't stand being restrained by bureaucracy of any kind; I think it stifles creativity."

The Peace Corps has established a Career Information Service to help returned volunteers find jobs, get scholarships, or take tests for graduate school or Federal employment while they're still overseas. The career staff provides counseling, publishes a monthly list of job opportunities, maintains career libraries abroad, and handles special requests for information.

Finding the right job is not easy. When Ann Arnsen, 24, returned from San Salvador to Washington, D.C., she signed up with employment agencies, applied to Government agencies, and answered newspaper ads. Her search was long and strenuous chiefly because she was determined to work directly with the problems of underdeveloped countries. (She now raises funds for the hospital ship *Hope*.)

Ann and her RPCV roommate, Eloise McClintic, share a century-old house in the picturesque Capitol Hill section of Washington. Eloise, 26, was a premed major at the University of California at Berkeley. Not sure that she wanted to go to medical school after graduation, she entered the Peace Corps instead. When she returned from the Dominican Republic, still uncertain about her ambitions, Eloise became a stewardess for Pan American Airways ("I wanted to travel, keep up my Spanish, and make contacts").

Tired of her job ten months later, she quit and went to Washington. There she worked for two years with the Council on Leaders and Specialists (a contract agency for the State Department that plans programs for visiting dignitaries). She left the Council last August, torn between medicine and taking a doctorate in Latin American studies. Now, she's teaching school during the day and taking review courses in science at the University of Maryland in the evening ("In case I decide to take the medical-school entrance exam"). "Had I not gone overseas," Eloise says, "I probably would have been content to settle down and practice in Illinois. But the more you know of other people and other places, the more you want to know."

About half the returnees make a significant change in their career goals. Before going to Tanzania, vivacious Barbara Boyle, 26, graduated from Stanford with a B.A. degree in international relations. She had always planned a career in the Foreign Service, took the exam in Tanzania and passed it. One week before leaving for her first assignment, she was offered a job helping "to plan a college" with Harris Wofford, then associate director of the Peace Corps, who was about to establish, and become president of, a new experimental branch of the State University of New York in Old Westbury, Long Island, patterned after Peace Corps education programs.

Barbara took the job. It meant a complete departure from her career plans, but she explained it this way: "I felt that American representatives overseas—military officers, diplomats, businessmen—were not well-informed and that their philosophical ideas

were often very wrong. The blame for this, I think, rests in our educational system. If we want to achieve any degree of peace, we have to equip our leaders with stronger mental resources.

"I suddenly realized I had been working in the wrong direction. If I'm to do anything of what I want, I have to start way behind the outer level which is the Foreign Service. I have to go back to the very beginning, which I feel is education."

Barbara is presently on the planning staff of the college, scheduled to open in September 1970. She hopes it will become a model for higher education. "The theory is to get students to learn how to learn, to become their own teachers," says Barbara, "instead of being the passive students most of us were in college." The college may send freshmen to live for several months in a ghetto, an Appalachian community, or on an Indian reservation, and thereby come to grips with alien cultures. Barbara believes that the confidence they develop in their ability to cope will enter into their approach to education.

President Johnson has tried, as did President Kennedy, to attract RPCVs into Federal service, and currently about 23 per cent of employed returnees work in the Government. Their overseas experiences have led them to the Agency for International Development (A.I.D.), for example, where more than 200 are employed around the world in agriculture, health, public safety, and finance.

To date, 84 RPCVs have been appointed to the Foreign Service, although most of them only recently. "The first returnees just couldn't pass the exam," said a Government training officer. "When you come back from a *flavela* in Brazil, the state of your mental equipment is often pretty low. Most returnees just don't have the facts on American history—and they're not up on current events here or elsewhere."

Early RPCVs and American businessmen viewed one another with skepticism, and even now only 11 per cent of the ex-volunteers are employed in this area. A lot of company people thought returnees were undisciplined and, sometimes, outright mavericks. They were too creative and restless for typing or selling insurance.

An RPCV who fled New York and the business world is Penny White, who, after graduation from Wells College (with a French major), spent two years in Lord & Taylor's executive training program in New York, and a third year as secretary to the personnel director at Memorial Hospital, before joining the Peace Corps. A tall, bright-eyed Washingtonian, Penny now lives in an attractive Georgetown apartment and works on the Peace Corps staff as liaison officer for volunteers stationed in North Africa and the Near East.

When she came back from Tunisia in 1966, she began looking for a personnel job among Manhattan oil companies, banks, nonprofit groups. She wanted something in an international division, where she could use her French and work with foreigners. Although she abhors the idea of routine chores, she was offered only secretarial jobs. Moreover, she discovered that only top management had close contacts with foreigners.

Perhaps because she did not find a satisfactory job there, Penny changed her mind about living in New York: "The dirt, the madness, the pace, the rushing—New York is the epitome of it." Penny will remain in Washington for perhaps two years, thinks she will then live abroad and make a career in public relations or tourism in North Africa. "In the emerging countries, young people have the chance to do meaningful things in social and economic development," she explains. "Here you're a tiny frog in a huge puddle. You can hardly do anything significant. Over there you're not knocking your head against a wall."

Some business and industrial firms with international interests made early overtures to ex-volunteers. One of these, the United

Fruit Company, stated: "We feel that PCVs who have served a tour of duty in Latin America and have gained a knowledge of Spanish are ideally suited for the company's operations in Central America." But Mary-Rita Tascketta, director of the Career Information Service, feels the problem is that "business has had trouble communicating with the volunteer, because the volunteer is not receptive to the commercial world. RPCVs hesitate to join a company where they think they will be stifled by a rigid and conservative system. It isn't because they're not money conscious; they are—just as much as anybody else."

"On the other hand," she continues, "businessmen don't know how to appeal to the volunteer in their help-wanted ads [in the CIS bulletin]. They themselves don't know what there is in the Peace Corps experience that might make returnees specifically valuable to business."

Kaiser Aluminum and Chemical Corporation in Oakland was interested in finding this out after they had accidentally hired a returnee who rapidly and successfully caught on to the company's system. What, they asked Miss Tascketta, has the RPCV got that the average 25-year-old business or accounting graduate does not have?

From a two-hour conference came these exclusions: he has proved to some extent that he is more emotionally mature; he's adaptable, flexible, patient, and able to tolerate certain frustrations. He is a little more friendly and outgoing with a genuine liking for other people. He's been motivated by the desire to be of service to others and, at the same time, to learn from others.

About 16 companies now encourage employees to take a two-year leave for the Peace Corps without losing seniority. Among these are Kaiser, AT&T, General Electric, IBM, and Kimberly-Clark. Labor unions are beginning to do the same for skilled labor (the United Auto Workers, for instance).

International banking, too, is a logical employer. Kenneth Cole, for example joined the Peace Corps after law school and was sent to Ecuador in 1963 equipped with a B.S. in accounting and a law degree from Berkeley. In Guayaquil he worked on an A.I.D.-sponsored plan to develop credit unions. When he returned home, he found to his surprise that several prospective employers were interested in his experiences—he had considered the Peace Corps "only one more line on the resume which might open one more door for an interview."

Kenneth works for the Inter-American Development Bank in Washington, a profit-making organization funded by Western Hemisphere countries to finance economic and social development in Latin America. He is using his Peace Corps experience "100 per cent down the line," and feels that it saved him from the dull but secure job he had considered taking in a law firm.

Early returners seeking teaching positions found, to their disappointment, a hide-bound attitude toward their lack of certification in spite of their overseas teaching experiences. When Barbara Gladysiewicz returned in 1963, having taught English for two years in the Philippines, she sought a job in a New York slum school. The Board of Education insisted that she needed an extra two credits in science and one in math for permanent certification. Disgusted with the red tape, she left Manhattan and was hired in Spring Valley, New York.

Frequently, school administrators were not only parochial but prejudiced as well. Before Linda and Gary Berghold returned to the U.S., Linda applied for a teaching position in Boston, mailing her application from Addis Ababa. When her letter was not answered, she complained bitterly to the Massachusetts Department of Education. Eventually she got an answer: her envelope was returned with the following scrawled across the top: "We do not hire teachers of

foreign extraction." They had not even read past the postmark.

Progressive states, however, are beginning to see the light. California will grant a standard certificate to Peace Corps teachers who hold a bachelor's degree and meet course requirements in the subject they will teach. The California State Legislature, in a parallel action, passed a bill creating a new certification category for them. In Philadelphia, immediate provisional appointment at the salary of a third-year teacher is given to all RPCVs.

New York State is now going all out to lure volunteers. Not only are they waiving requirements ("It is usually possible to facilitate the placing of those volunteers with a bachelor's degree and two years of Peace Corps teaching experience"), but they have hired a special liaison officer in Albany specifically for the Peace Corps, and have also sponsored and paid for three job conferences, enabling administrators and job-seeking volunteers to meet. The largest, held last April in Manhattan, was attended by 421 volunteers (almost half were hired) with 150 schools represented. A smaller one on the Syracuse campus was attended by 72 RPCVs: half were hired, at an average salary of \$6,800.

Many of the returnees request a slum school, and some believe it is even more difficult teaching here than overseas because of the negative attitude of many American pupils. Peace Corps service in Liberia gave Lorraine Bouffard not only the incentive but the mental flexibility necessary to teach underprivileged Negro children in Hartford's North End. It also gave her something to offer them: a knowledge and respect for the history of West Africa.

Nowadays, the Peace Corps is attracting more married couples than before; one out of every five is married, compared to one out of ten who served five years ago. Altogether, 6,665 married volunteers have participated, and nearly 800 weddings have taken place overseas. As a matchmaker, the Corps may well outline the computer!

Are Peace Corps marriages subject to unusual strains and pressures? Yes and no. The Bergholds, who were married before they entered the Peace Corps, fervently agree that marriages are usually strengthened by the mutual experiences of a common vocation. Since PCV couples are separated from their families, they must work out their own problems, for "a wife can't run home to Mother," says Linda.

Dick and Sally Irish (she is currently secretary to Mrs. Robert F. Kennedy) were also married before they left for the Philippines, where both taught elementary school. There was some competition between them, Sally admits, and they were continually being compared. "You are together all the time," she says. "It's wonderful, but also very difficult. If you have marital problems, they'll be intensified." After sharing so much overseas, Sally decided to participate more in Dick's life at home, rather than get a full-time job herself. During the first year, while Dick worked on the Peace Corps staff, she did volunteer work in his department.

Marian and Peter Downs of San Francisco felt their Peace Corps experience was good for their marriage. "After two years in a Nepal village where we worked together every day and had to learn how to run a house together—cooking our meals over an open fire and carrying our daily water supply a quarter of a mile—we communicate much better with each other."

The Peace Corps is expanding rapidly; there are 15,000 volunteers currently overseas, and by 1980 there will be 200,000 returned volunteers. Beyond the stated goals of helping emerging peoples and promoting clearer understanding of America, the experience has served the volunteers inestimably in a personal way; it has helped them toward maturity, career focus and, more im-

portant, has enlarged and deepened their understanding of the world beyond their door-steps.

"After living in a country where people are just eking out an existence, the 'necessities' here are like luxuries," says the Downs couple. "We're not going to get into the rut of having to have 'things.' Right now the Joneses are so far ahead of us we could never catch up—and we don't care to."

And another RPCV sums it up: "Some people go into the Peace Corps to change the world. You don't change the world—you change yourself."

ALCOHOLISM AND DRUG ABUSE— REPORT OF PHILADELPHIA DISTRICT ATTORNEY ARLEN SPECTER

Mr. SCOTT. Mr. President, I recently requested that the concluding chapter of Philadelphia District Attorney Arlen Specter's annual report be printed in the RECORD because it addresses itself to one of the major problems confronting this Nation—the need for law enforcement and the protection of individual rights. Another section of the report discusses the complex and challenging problems of alcoholism and drug abuse. Because I believe it essential that enlightened thinking in the law enforcement and criminal justice field be brought to the attention of all interested persons, I ask unanimous consent that this portion of the report be printed in the RECORD.

There being no objection, the item was ordered to be printed in the RECORD, as follows:

DISTRICT ATTORNEY'S CITIZENS COMMITTEE ON ALCOHOLISM AND DRUG ADDICTION

By the early fall of 1967, it was decided that it would be helpful to form a Citizens Committee on Alcoholism and Drug Addiction. A number of factors had coalesced which required a re-appraisal of the problems of drug addiction and alcoholism. Among those factors were:

(1) Court decisions which increasingly viewed alcoholism and drug addiction as diseases, free from the traditional criminal prosecution.

(2) Evidence of a spread of drug addiction of certain types in all classes of society and particularly among college students.

(3) The need for a therapeutic resident facility for both drug addiction and alcoholism in Philadelphia.

(4) The recommendation of the President's Commission on Law Enforcement and Criminal Justice that police be relieved of the duty of making arrests for habitual drunkenness which today constitutes such a heavy drain on police manpower.

It was concluded that a Citizens Committee could bring new ideas to these problems and could further stimulate community support for such projects which were deemed necessary.

The Committee consists of:

Dr. Millard Gladfelter, Chairman of the Committee; Chancellor, Temple University.
Mr. H. Robert Cathcart, Vice President, Pennsylvania Hospital.

Mr. Anthony Cortigene, Amalgamated Clothing Workers of America.

Mr. Paul J. Cupp, Chairman of the Board, Acme Markets, Inc.

Dr. Frederick B. Glaser, Assistant Professor of Psychiatry, Temple University.

Mrs. Mary M. Kaluha, Member, Board of Trustees, The Philadelphia State Hospital at Byberry.

Mr. Jean Paul Mather, President, University City Science Center.

Reverend Arnold D. Nearn, District Superintendent, African Methodist Episcopal Church.

Professor Henry S. Ruth, University of Pennsylvania Law School.

Mr. Charles G. Simpson, General Manager, Philadelphia Gas Works.

Honorable Lewis H. Van Dusen, Jr., Chancellor, Philadelphia Bar Association.

Mr. William H. Wilcox, Executive Director, Greater Philadelphia Movement.

Mr. Elias Wolf, Chairman of the Board, Metal Edge Industries.

Late in 1967, the Committee decided to visit the Daytop Village on Staten Island, New York with a view to planning a resident facility for drug addiction for Eastern Pennsylvania.

RESIDENT FACILITY FOR DRUG ADDICTION

Among the factors, which called for the creation of a Citizens Committee to work on the problem of drug addiction, was the absence of therapeutic resident facilities for drug addiction in the Philadelphia area. On September 14, 1967, the District Attorney's Office called to the attention of Governor Raymond P. Shafer the need for a Resident Treatment Center for victims of addictive diseases in Eastern Pennsylvania.

This Office suggested that the General State Authority of the Commonwealth of Pennsylvania should build and equip a Resident Treatment Center as a research and demonstration project and that the State should lease it to a non-profit corporation. Existing state and federal purchase-of-care programs should finance operations. It was suggested that the Resident Treatment Center would be less expensive to operate than a prison and would produce a better rate of recovery than that generally attributable to penal institutions.

Governor Raymond P. Shafer replied on October 4, 1967 commenting that the proposal had "great merit." The Governor indicated his support for the allocation of capital funds on both economic and humanitarian grounds.

At the close of the year, efforts were in process to secure the requisite appropriation for construction of the Resident Treatment Center.

RECOGNITION OF ALCOHOLISM AS A DISEASE

The revolving door

Since 1794 persons intoxicated in public have been arrested in Pennsylvania under a law which provides for a fine of \$75, or if they cannot pay, 24 hours imprisonment in the House of Correction, 18 P.S. Sec. 1523. A 1921 statute raised the amount of the fine to \$5.00, 47 P.S. Sec. 722. Under another set of statutes, magistrates have been thought to be authorized to incarcerate "habitual drunkards" in the House of Correction for periods up to 90 days, 61 P.S. Sec. 751 and Sec. 671, et seq.

The number of arrests under these statutes is enormous. In 1966, out of a total of 90,000 arrests for all offenses committed in the City of Philadelphia, 41,000 were for public drunkenness. Behind this startling statistic is a huge community expenditure of police time, court time, and money to say nothing of an enormous waste of human resources.

In practice, the traditional system of handling public intoxicants has been a blot on the administration of justice. In a typical week, approximately 500 public intoxicants will be arrested in the 6th Police District alone. After arrest, these persons are kept in cells overnight to await their hearing before a magistrate in the morning. When morning arrives, they are paraded out in a group, before the magistrate, who then asks whether there are any complainants against them, or whether any of them want to go to the House of Correction for their own protection and health. Aside from those few who are sent to the House of Correction as punishment for whatever petty offense they may have committed while drunk and those who volunteer to go because of their debilitated condition, the large remainder of persons are

turned loose to go back to their skid row surroundings and inevitably another alcoholic binge, arrest and discharge.

This process aptly has been termed the "revolving door" through which the alcohol addicts and habitual drunks pass and return, time and time again. It is estimated that of the 41,000 arrests made in 1966, more than half reflect repetitive arrests of some 3,000 to 5,000 chronic alcohol addicts.

This office's position on alcoholism

In the landmark case of *Robinson v. California*, 370 U.S. 660 (1962), the United States Supreme Court held that narcotics addiction was a disease and not a crime. Therefore, while a person could be punished for the sale and possession of narcotics, he could not justly be punished for his status of being an addict.

The implications of the *Robinson* decision for the problem of alcoholism were obvious. If narcotics addiction is a disease, certainly alcohol addiction is not less so. Moreover, if alcohol addicts may not be punished as criminals merely for being "habitual drunkards" neither should an alcohol addict be punished for being publicly intoxicated, since such intoxication is merely a symptom of the underlying addictive disease. Certainly if you cannot punish a man for having a common cold, neither can you punish him for sneezing.

In view of these principles, in the Summer of 1966 this Office took the position that incarceration of "habitual drunkards" in the House of Correction was illegal. Accordingly, an arrangement was made with the Defender Association of Philadelphia under which this Office agreed to the release, subject to court supervision, of any person incarcerated in the House of Correction as a habitual drunkard so long as that person desired his release and was physically well enough to be released.

Although this arrangement was a step in the right direction, it could not alleviate the underlying problem of the lack of a rational and humane city-wide treatment program for the chronic alcoholic. To find a permanent solution to the problem, this Office entered into discussions with the Greater Philadelphia Movement, the Philadelphia Diagnostic and Relocation Service Corporation, the Defender Association of Philadelphia, and other interested agencies.

A test case

To awaken the community to the vast problem of alcoholism, it was decided that a law suit should be brought challenging the constitutionality of the treatment in Philadelphia of chronic alcoholics. Two men, Robert Edward Lee and Joseph Mitsch, were selected as test cases, and the Defender Association filed petitions for writs of habeas corpus asking their release on the ground that their commitment to the House of Correction was unconstitutional.

The cases were heard before the Honorable Leo Weinrott, Judge of the Court of Common Pleas No. 5, Philadelphia County, and extensive psychiatric and medical evidence was presented on the nature of alcoholism and the dimensions of the Philadelphia problem. On August 31, 1967, Judge Weinrott rendered a learned and comprehensive opinion declaring that chronic alcoholism is a disease not punishable as a crime, and discharging the petitioners from custody. *Commonwealth of Pennsylvania ex rel. Robert Edward Lee and Joseph Mitsch v. Edward J. Hendricks, Superintendent, Philadelphia County Prisons*, C.P. No. 5, June Term, 1967, No. H.C.-0075, 0076.

Programming humane treatment of alcoholics

Shortly after Judge Weinrott's decision, the District Attorney called a meeting of experts and leading citizens to discuss the impact of the court decision, and new directions for the future. After lengthy discussion, during which there was general agreement that alcoholism should be treated as a medical

and not a criminal problem and that community resources should be devoted to its solution, a sub-committee was formed to achieve a workable city-wide program. The Committee is chaired by Assistant District Attorney Alan J. Davis and its membership includes:

Stanley J. Brody, Director, Southeast Region, Department of Public Welfare.

Ephraim Gomberg, Executive Vice President, Philadelphia Crime Commission.

Edward J. Hendricks, Superintendent, Philadelphia County Prisons.

Dr. Walter Lear, Deputy Commissioner of Health.

Abraham J. Brem Levy, Esquire, Philadelphia Bar Association.

Chief Inspector Frank Nolan, Philadelphia Police Department.

Irving Shandler, Director, The Philadelphia Diagnostic and Relocation Service Corporation.

From the outset, the Philadelphia Police Department, through both Commissioner Frank Rizzo and Chief Inspector Nolan, made it very clear that the Department was 100% behind any program for the more humane treatment of chronic alcohol addicts as persons suffering from a medical problem. At all the meetings of the subcommittee the Police Department volunteered constructive suggestions and all of their resources to the solution of the problem.

After several meetings it was decided that any program for the treatment of alcoholics would require facilities for diagnosis, detoxification, hospitalization, psycho-social evaluation and both in-patient and out-patient long-term rehabilitation. While initially it was thought that this should be done through a large central facility, all of the experts agreed that the best possible program would be a decentralized program which would involve the participation of a large number of general hospitals and all of the varied existing resources in the community.

It is believed that this approach precludes the possibility that a large central facility would become merely a dumping ground for alcoholics offering more humane but no more effective treatment. Moreover, only by involving the staffs of great hospitals can a professional cadre be developed to assure the continuing operation and improvement of the program. Finally, a large number of facilities spread throughout the city will be more responsive to particular neighborhood and sectional problems.

Accordingly, Irving Shandler was instructed by the Committee to enter into discussions with the major hospitals and community mental health centers to obtain their cooperation. Happily, Mr. Shandler's efforts were rewarded with a large measure of success. Although there was strong initial resistance, gradually most of the facilities expressed sympathy and volunteered bed space and personnel for the program.

A pilot program

To obtain the precise data needed for an operational alcoholism program, it was decided that a pilot study was in order. Under a grant from the Greater Philadelphia Movement, the Diagnostic Center undertook a study of all of the men arrested in the 6th Police District between the hours of 2:00 P.M. and 10:00 P.M. for a 10-day period. The Police Department volunteered a breathalyzer machine and operator, the facilities of the 6th Police District, a specially equipped clinic room in the police station, all of the necessary transportation and the full cooperation of all of the men in the district.

The Diagnostic Corporation provided doctors, technicians and social workers. For 10 days the 6th Police District became a diagnostic center for chronic alcoholics.

A report on alternatives to arrest for intoxication

On November 29, 1967, the Diagnostic Corporation issued a 74-page report summarizing the results of the 10-day pilot study, and a comprehensive, detailed city-wide program on alcoholism.

Basically, the plan is to divide the city into four sections, each with a diagnostic center located at four different general hospitals. All persons arrested for public intoxication would be taken by the police directly to these centers. If the arrested person is diagnosed by a doctor as a chronic alcoholic, he would then be treated and either released on out-patient care or provided with in-patient care. If the person is not a chronic alcoholic but rather merely a casual drunk, he will be returned to the police station and be charged according to law. The most significant finding of this study was that existing facilities in the City of Philadelphia are adequate to handle the entire problem with the full cooperation of the City Health Department and the major hospitals.

A general accord

Since the completion of the pilot study, several meetings have been held to which all interested state, local and civic agencies were invited. Without exception, all parties agreed that the plan recommended in the report was feasible and desirable. Most encouraging, was the agreement by Dr. Walter Lear, Deputy Commissioner of the City Health Department, that the Health Department would be willing to assume responsibility for and expedite the program.

Having obtained the very tangible cooperation of the Philadelphia Police Department, various civic agencies, firmly-promised cooperation of many of our great hospitals and the City Health Department, it seems that Philadelphia is on the brink of achieving the finest program for chronic alcoholics in the United States. This has not occurred a moment too soon. The United States Supreme Court now has under consideration in *Powell v. Texas*, the question whether alcoholism should be treated as a disease on a nationwide basis. It is anticipated that the Supreme Court's decision will be the same as Judge Weinrott's decision in the Philadelphia test case. When the decision is handed down, it is anticipated that all communities in the nation will be required to adopt alcoholism programs. With the advanced start that we have, Philadelphia should be one of the leaders in the nation.

EXCHANGE OF OFFICIALS BETWEEN FOOD AND DRUG ADMINISTRATION AND PHARMACEUTICAL INDUSTRY

Mr. NELSON. Mr. President, the Chicago Sun-Times of Sunday, February 25, 1968, published a very interesting article by Morton Mintz which discussed the exchange of officials between the Food and Drug Administration and the pharmaceutical industry.

Mr. Mintz quotes Dr. Louis Lasagna, of the Johns Hopkins Medical School, as follows:

It does not seem desirable to have in decision-making positions scientists who consciously or unconsciously are always contemplating the possibility that their futures may be determined by their rapport with industry.

Mr. Mintz makes the point that although the drain of regulatory officials to industry and the questions it raises about keeping public policy and administration uncorrupted are not unique to the FDA, this agency bears special responsibility in matters affecting the pub-

lic health—often in matters of life and death.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DRUG FIRMS HIRE AWAY FDA OFFICIALS

(By Morton Mintz)

WASHINGTON.—Six years ago, Dr. Louis Lasagna of Johns Hopkins Medical School called the exchange of officials between the Food and Drug Administration and the companies it regulates the "potentially most dangerous aspect of the FDA setup."

"It does not seem desirable to have in decision-making positions scientists who consciously or unconsciously are always contemplating the possibility that their futures may be determined by their rapport with industry," Dr. Lasagna said in his book "The Doctors' Dilemmas."

Four years ago, Rep. Melvin Laird of Wisconsin, chairman of the House Republican Conference, wrote a letter to the commissioner of the FDA, who was then George P. Larrick.

POOR PUBLIC POLICY

"... It is poor public policy to allow individuals... who are vested with broad discretionary authority to arm themselves with extensive information on a group of sharply competing businesses, then suddenly bob up working for one of them," Laird said.

In the letter, which he put into the hearing record of a House appropriations subcommittee, Laird went on to say:

"It also stands to reason that while still employed by FDA and while still passing on the problems of competing companies, they were in the process of agreeing to this outside employment."

NO FOLLOWTHROUGH

An FDA tabulation made at Laird's request showed that of 813 employees who had left FDA in the four years through 1963, at least 83 appeared to have taken posts in regulated industries.

The drain of regulatory officials to industry and the questions it raises about keeping public policy and administration uncorrupted are, of course, not unique to the FDA. But this agency happens to deal with the nation's most profitable industry and to bear responsibility in matters affecting the public health—often, indeed, in matters of life and death.

There was no followthrough, however, on the concerns voiced by Dr. Lasagna and Laird. Traffic on what Lasagna called "the well-traveled two-way street between industry and Washington" went on to reach rush-hour proportions two years ago, and its effects can still be seen.

CLUSTER OF RESIGNATIONS

In a cluster of resignations set off by the late 1965 departure of Commissioner Larrick and his replacement by Dr. James L. Goddard, the most notable was that of Dr. Joseph F. Sadusk, Jr., FDA's top physician and director of the Bureau of Medicine.

In his two years at FDA, Dr. Sadusk had made numerous decisions about drugs. One involved Chloramphenicol, a potent "wonder" antibiotic that some prescribed.

Following a review by a special panel of the National Academy of Sciences-National Research Council, the FDA had already added a warning to the label emphasizing an association between the drug and aplastic anemia, a usually fatal blood disease. But reports continued to flow into the agency of more cases of aplastic anemia among the drug's users, raising the question of how adequate the warning was.

NO ACTION TAKEN

The special panel stood ready to reconvene on the matter, and it was tentatively on the agenda for a 1965 meeting between the NAS-

NRC and FDA officials. But Chloramphenicol never came up.

The FDA delegation was led by Sadusk, who as head of the Bureau of Medicine was responsible for the decision not to attempt a new, still more cautious labeling.

After quitting the FDA in March, 1966, Dr. Sadusk spent a year at Johns Hopkins and then moved to Parke Davis & Co. as vice president for medical affairs. Parke, Davis held a patent monopoly on Chloramphenicol—which it marketed under the brand name of Chloromycetin—during Sadusk's tenure at the FDA.

HEARINGS BRING ACTION

As a result of hearings in the last few weeks by Sen. Gaylord Nelson (D-Wis.), the FDA at last is in the process of requiring tough new labeling for Chloramphenicol. The FDA expects Dr. Sadusk to counsel Parke, Davis on the matter.

He has already represented the firm in other dealings with the agency, although there is no evidence that Parke, Davis was either helped or hurt by being represented by the FDA's former top physician.

Last January Dr. Sadusk met with agency brass about their objections to the expensive promotional campaign that introduced Ponstel, a painkiller, to the American market last year. The firm agreed to send an embarrassing "corrective letter" to some 288,000 doctors saying that the agency regarded certain Ponstel promotions as "misleading."

JOINS TRADE ASSOCIATION

After Dr. Sadusk quit the FDA, the deputy director of the bureau of medicine, Dr. Joseph M. Pisani, went to the Proprietary Assn., the trade organization of manufacturers of nonprescription drugs.

The vacant directorship in the bureau was filled by Dr. Robert J. Robinson, who shortly thereafter moved to a high executive post at Hoffman-La Roche. Joining him in the staff of the pharmaceutical firm was Dr. Grace Pierce, an FDA medical officer.

Dr. Harold Anderson found a job at Winthrop Laboratories more attractive than being director of FDA's Division of Anti-infective Drugs. Dr. Howard Cohn quit as chief of the medical evaluation branch to go to Ciba Pharmaceutical Co.

ORDERS, "BAIL OUT"

Morris Yakowitz, head of the Division of Case Supervision, joined Smith Kline & French Laboratories. Allen E. Rayfield became a consultant to Richardson-Merrell Inc.

As head of FDA's Bureau of Regulatory Compliance, Rayfield had been scored in hearings held by the House Intergovernmental Relations Subcommittee. There had been a potentially serious mix-up of labels for medical products at another pharmaceutical plant, Abbott Laboratories. Three FDA inspectors began an investigation to see if there had been violations of the rules for manufacturing practices. One morning soon after the inspectors went into the plant, Rayfield phoned FDA's Chicago Office. "Bail out" he ordered. "Get out before noon."

In his 1964 letter Laird said that Congress had "faced-up" to the underlying problem long ago in respect to the Defense Dept.

TWO-YEAR RULE

"A statute was passed prohibiting career personnel from working on defense matters for private industry until at least two years had passed following their retirement," Laird said.

"I am strongly inclined toward a requirement of this same kind in respect to FDA personnel, forbidding their employment, for a period of two years after leaving FDA, by a company whose business is under FDA jurisdiction."

The inclination has not been strong enough to get anything done.

SALE OF WHEAT BY FRANCE TO RED CHINA

Mr. CARLSON. Mr. President, recently an announcement was made of a sale of wheat by France to Red China which has very serious implications for the United States.

The net effect of the sale is that the U.S. exporter is subsidizing French sales of wheat to Red China.

This sale, which amounted to 500,000 tons of wheat, was made possible by a \$63-a-ton subsidy paid by the European Economic Community to the French. This made the price paid by the Chinese only about half the European Economic Community's internal price.

For the United States, the crucial point is that the subsidy is paid out of the European Common Market's agricultural fund. This fund is made up in large part by the fees collected from the so-called variable levy system.

In other words, when the United States sells its wheat, corn, and soybeans to the Common Market, the heavy variable levy tax imposed on these shipments goes into the European Economic Community's common agricultural fund. This fund was used in this sale to subsidize French wheat exports to Red China.

I am very disturbed about this. A special subcommittee of the Committee on Foreign Relations will soon be holding hearings on the International Grains Agreement. Certainly this situation will have to be a subject of careful consideration by our committee.

It should also be of interest to the Committee on Finance, of which I am a member, when we discuss legislation involving international trade.

I ask unanimous consent that several newspaper clippings which describe the French deal with Red China be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Journal of Commerce, Jan. 12, 1968]

EEC IMPORT LEVY SYSTEM DRAWS FIRE

WASHINGTON, January 11.—Agriculture Secretary Orville L. Freeman, today said that although trade barriers have been progressively lowered in postwar years, there is a disturbing disposition on the part of some countries to set aside conventional trade rules.

Unless this trend is halted the secretary stressed, the U.S. will be forced to retaliate, and that will mean contracting instead of expanding trade. The secretary spoke at a Propeller Club luncheon here.

He said that the European Economic Community has, for example, "set up a system under which its high cost production is carefully protected from outside competition by variable import levies."

COMMODITY SURPLUSES

"The result, as many predicted, has been the accumulation of commodity surpluses. To dispose of these the EEC is paying export subsidies out of funds generated from the import levies."

According to Mr. Freeman, export subsidies currently are in effect on the EEC's ham, fresh pork, lard, poultry, butter, tomato products, and perhaps a few others.

"So now," the secretary stressed, "we are looking into possibilities of assessing countervailing duties on such products as hams, to compensate for the subsidies low prices."

Subsidized EEC products also are disrupt-

ing foreign markets in which the U.S. sells such as poultry markets, which have been hard hit by subsidized EEC imports in Switzerland and Greece.

The secretary noted, however, the EEC isn't alone in this practice. He said Japan, for example, will permit only a trickle of imported citrus fruit to enter.

[From the Journal of Commerce, Jan. 15, 1968]

CCC EXPORT-IMPORT POSITION IN GRAIN

(By Trader)

A recent article in a West German publication points out that from last July 1 through Dec. 20 the EEC issued export certificates for 1,763,800 metric tons of bread wheat produced in the Common Market countries. French wheat accounted, by far, for the major portion.

During the same period, import certificates totalling 1,534,900 tons of bread wheat were issued, making the EEC a net exporter of this grain for the period of 228,900 metric tons. Statistics refer only to trade with countries outside the community.

For durum wheat, however, only 4,622 tons were listed for export while import certificates reached 693,166 tons. Thus, the combined bread and durum wheat export certificates fell short of import certificates by approximately 460,000 tons, hardly an encouraging balance for countries outside the EEC which in the past have supplied very substantial quantities to the community.

And if recent negotiations for the sale of French wheat to Mainland China and the Near East are successfully concluded another 600,000 tons of wheat or more would be added to the EEC export total.

The EEC also has been an exporter of barley on balance—not unexpected in view of expanded French production of this grain but for other grains imports top exports by a wide margin.

For instance, corn import certificates for the period reviewed exceeded 3.5 million tons while export certificates approximated 501,000 and totals for grain sorghums were about 479,000 and 38,000 tons, respectively.

[From the Journal of Commerce, Oct. 20, 1967]

FRENCH WHEAT SURPLUS AT 5 MILLION TONS

(By Trader)

The French wheat crop turned out very satisfactorily this year after some earlier doubts as to quantity and quality and it has been estimated that an exploratory surplus of about five million metric tons (184 million bushels) was realized after allowance for a moderate carryover at the end of this season of close to 30 million bushels.

Production topped 14 million tons (514 million bushels) and of this it has been estimated that over 400 million bushels will be available off the farm, including moderate imports such as durum wheat which comprises a very small portion of the French crop.

French consumption of wheat for flour and for denaturing for feeding purposes is expected to account for around 213 million bushels. Scattered export sales have been reported but the major portion of the surplus is yet to be sold.

France also is estimated to have a barley exportable surplus of about three million tons (138 million bushels) from a production of over 9.5 million tons (436 million bushels).

The corn crop in France apparently is turning out less satisfactorily than expected earlier due to drought in some sections but, despite setbacks, recent estimates indicate that from a 3.5 million ton production and import of possibly 400,000 tons (a combined total of 154 million bushels) an exportable surplus of 1.1 million tons (43.3 million bushels) should be available.

[From the Journal of Commerce, Oct. 20, 1967]

EEC GRAIN HARVEST SEEN AT NEW PEAK

CHICAGO, October 19.—USDA reported that preliminary estimates based on individual country data indicated that the European Economic Community (EEC) will harvest 67 million metric tons of grain this year (66.2 million excluding rice). This estimate—which exceeds some projections for 1970—compares with about 59 million in 1966 and the previous record of 61.1 million in 1965.

It is estimated that coarse grain production will reach 32 million tons—the previous high in the past 5-years was 28.4 million in 1963. Coarse grain acreage totaled 24.4 million acres in 1967, compared with 23.5 million a year earlier. The increased area went to barley and corn. The barley yield is calculated at a record 1.4 tons per acre, but the corn yield is expected to fall below the unusually high 1966 level of 1.6 tons.

The wheat harvest is estimated at 30 million tons, slightly below the record 30.5 million in 1965. Wheat acreage in 1967 totaled 24.2 million acres, down about 2.5 per cent from 1966, and yield is calculated at 1.2 metric tons per acre. During 1962-66, yields ranged from 1.0 to 1.1 metric tons per acre.

Generally excellent weather throughout the EEC had a very favorable impact on grain yields this year. The effect of higher rates of fertilizer application and other variables on production levels cannot be assessed at this time.

[From the Journal of Commerce, Dec. 27, 1967]

EEC GRAIN EXPORTS, IMPORTS ESTIMATED (By Trader)

A recent provisional estimate by the authority places EEC exports of grains in the current season at 8.5 million metric tons, including 5.2 million tons of soft wheat, 1.7 million tons of barley and 1.2 million tons of corn. Of the balance, hard wheat is expected to account for 110,000 tons, sorghum 80,000, oats 76,000, and rye 16,000 tons.

France will be, by far, the major contributor with that country slated to export 3.5 million tons of soft wheat, barley 1.5 million, and corn 300,000 tons. West Germany is expected to export 800,000 tons of soft wheat, a combined corn and barley total of around 100,000 tons, and small quantities of rye, sorghum, and oats. Prospective exports by Holland are placed at 300,000 tons of soft wheat and corn plus 40,000 tons of oats.

Imports from countries outside the community have been projected at 17.2 million tons. Of this corn will account for more than one-half with 9.6 million tons; soft wheat 2.7 million; hard wheat 1.3 million; sorghum 1.5 million; barley 1.2 million; oats 627,000, and rye 150,600 tons.

Italy will account for 5.0 million tons of the corn imported as well as 500,000 and 400,000 tons of soft and hard wheat, respectively, 900,000 barley and 200,000 tons of oats. West Germany will import 1.5 million tons of corn, 1.0 million tons of soft wheat, 440,000 tons of hard wheat plus approximately 1.0 million tons of other grains. Holland is expected to take 2.0 million tons of corn plus 600,000 tons of other grains.

Partly offsetting exports by France will be imports estimated at 450,000 tons of hard wheat, 400,000 tons of corn, 200,000 tons of soft wheat, and small quantities of other grains.

[From the Journal of Commerce, Jan. 9, 1968]

FRANCE TO SELL WHEAT TO CHINA

PARIS, January 8.—France is to sell China possibly 660,000 tons of wheat, usually reliable grain trade sources in Paris state. Recent reports had placed this potential at at least 500,000 tons with some projections considerably higher.

Top world wheat prices are now thought to be falling from their recent peak and are

in any case some £5 or £6 a ton below current French producer prices. So the shipments to China will be subsidized by the Common Market authorities.

The deal with China, if confirmed and the forerunner of something bigger, is timely. France was a highly active wheat exporter between 1963 and 1965 when Communist countries were seeking a lot of Western grain. But in the 1966-67 season shipments were at only about half the previous season's rate of some 2.8 million tons.

Since then the 1967-68 wheat harvest has been estimated at about 10.75 million tons. This is below the average of about 13 million tons for the '60s so far. But it is expected to give a much larger export surplus than before because of the recent lack of export demand and large carryover.

Paris authorities believe the exportable surplus will be at least 4.7 million tons—of which all but 700,000 tons will have to be sold outside the Common Market.

[From the Journal of Commerce, Jan. 16, 1968]

WILL COST \$10 MILLION: FRENCH-CHINESE DEAL HITS ITALIAN OPPOSITION

ROME, January 15.—France's negotiations for sale of 600,000 tons of wheat to China is raising complaints here that Italy will have to pay out about \$10 million of a \$40 million sales subsidy approved by the Common Market to help Paris close the deal. The market's Executive Commission plans paying French exporters \$62.95 a metric ton to fill the gap between high wheat prices inside the European Community and the low world price being discussed with Peking.

Beside the normal \$52 per ton in subsidy given for grain exports by the EEC, the French shippers would get another \$11 a ton that Italian agricultural agencies consider an "extraordinary subsidy" to help France outbid Canada and New Zealand for the Chinese sale.

REALIZING FULL PRICE

With the support price inside the Common Market at about \$105 a ton, an Italian farm spokesman complained, France can offer its wheat at little more than \$40 a ton to China, "realizing the full price while selling at less than cost."

"It is not clear whether the European Community intends to support, with the concession of the extraordinary subsidy, a political operation or an economic transaction," he said. "It is known to all that France already in past years turned in preference toward China for sale of surplus wheat."

Apart from this proposed sale of wheat, Italian farm spokesmen are not happy generally with the working of the Common Market's farm fund.

"What stuns us more is that the European Community did not take into account the imbalance already existing inside FEOGA (Farm Subsidy Fund) between payments made to the fund and subsidies received by individual countries," the farm spokesman said.

For the years 1962-63 through 1966-67, he said Italy has received \$108 million, while France got \$490 million and Holland \$167 million.

The market's subsidy fund is mainly financed by levies on food imports from third countries. The fund could be handling up to \$2 billion a year by 1969.

"The situation is worsening as Italy has become a heavy importer of food products in recent years," the spokesman added, "to the extent that its total payments into FEOGA are held to have reached about one-third of the over-all contributions."

West Germany, another heavy food importer, and Italy are the biggest payers into the EEC farm fund. Emilio Colombo, Italian treasury minister, visited Bonn recently and proposed action on changing the system of contributions.

The talks are tied to payments into the EEC farm fund due from member countries during January. For the 1965-66 farm year Italy owes \$29 million, West Germany \$45, Belgium \$6.5 and Luxembourg \$300,000, while France will receive \$50 million and Holland \$31 million.

Beside paying out subsidies the farm fund also has an "orientation" sector that finances agricultural modernization in member countries.

Italy will receive subsidy payments from succeeding farm campaigns for olive oil, fruits and vegetables but the belief here is that these will not offset subsidies for French and Dutch food production.

The farm sector here is pushing for a change in operation of the fund so that greater payments will be made from Brussels for modernizing backward Italian agriculture.

[From the Journal of Commerce, Feb. 14, 1968]

FRANCE SELLS WHEAT

PARIS, February 13.—France will sell 500,000 tons of wheat to communist China, the government announced today after long negotiations.

The wheat will be delivered under a special formula developed by the Common Market to help take wheat off a heavily overstocked European grain market. The European Community will pay the French exporters an extra 55 francs (\$11) per ton above the price paid by the Chinese.

French officials said the deal was concluded only after the Chinese agreed to drop efforts to tie a French purchase of pork from China to the wheat sale. They said they refused to buy 10,000 tons of meat offered by China because of "sanitary" and "social-economic" reasons.

THE LONG AMENDMENT IS NOT A SUBSTITUTE FOR A GOOD FEDERAL GUN CONTROL LAW

Mr. CLARK. Mr. President, as a strong and consistent supporter of Federal gun control legislation, I should like to make the record clear on my vote yesterday against the Long amendment to the pending civil rights bill dealing with the transportation of firearms in interstate commerce.

I much regret the Senate's hasty action yesterday in approving this amendment with no hearings and with very limited debate. Our colleagues in the Committee on the Judiciary have before them a carefully drawn bill which has received months, if not years, of intensive study. I strongly support that bill; I am one of its cosponsors. I believe that it provides reasonable and effective regulations on the dissemination of firearms. I also believe that it is well designed to give full protection to the rights of the legitimate hunter, shooter and sportsman.

Where are the guarantees of the Long amendment? Where is the evidence of sober and thoughtful consideration?

Mr. President, the Long amendment is not a substitute for a good and carefully considered Federal firearms control law. I hope the American people will not be misled into thinking that we do not need to act on the gun bill because of the Long amendment. That is one of the reasons I opposed the amendment. I urge Senators to move ahead as swiftly as possible to bring to the floor of the Senate and pass the Federal gun control bill now pending in the Committee on the Judiciary.

SUPPORT NEEDED FOR COLLEGE LEVEL "COOPERATIVE EDUCATION" PROGRAMS

Mr. HARTKE. Mr. President, I invite the attention of the Senate to some important testimony presented yesterday to the Special Subcommittee on Education in the House of Representatives. The topic under consideration was cooperative education, a growing concept now in being in well over 100 institutions of higher education in this country.

Because cooperative education has proved itself as a valuable means for combining practical and academic experience; because it affords another avenue for those enrolled in its programs to earn a large part of their academic expenses; and because there is a great need to expand the program to more of our colleges, universities, and technical institutes, I offered last May 10, with the Senator from California [Mr. KUCHEL] as the principal Republican cosponsor, an amendment to title IV of the Higher Education Act of 1965, to provide a spur to these college-industry cooperative education programs. That bill, S. 1736, has received attention from the Subcommittee on Education of the Committee on Labor and Public Welfare, and I am hopeful that in the final enactment of this year's higher education bill the provisions for strengthening cooperative education will be a significant part of its usefulness. I know that the support of the 18 cosponsors now associated with me in my bill, including that of some committee members, augurs well for its enactment.

Witnesses at yesterday's hearing, which was presided over for the day by my Indiana colleague, Representative JOHN BRADEMAS, included highly relevant statements presented out of their experience by three presidents of institutions which now have cooperative education programs, in which the students alternate between periods of academic work and periods of employment for pay in a related field through the cooperation of employers. I might add that employers, and in particular those who can gear to a technical or scientific student's education, are often most enthusiastic. In fact, in some areas of the country, so successful is the program that the institution has a waiting list of available jobs larger than the list of students available. A fourth witness was John L. Cain, past chairman of the cooperative education division of the American Society for Engineering Education, speaking for himself and James Godfrey, present president of the Cooperative Education Association.

These two organizations concerned with cooperative education together have a membership of some 1,500, including faculty members of institutions with such a program, together with industrial, business, and governmental agency representatives. Some 56,000 students in their alternate periods of full-time employment away from the classroom earn \$95 million in a year—a degree of self-help which encourages many from lower income families to tackle higher education when otherwise, afraid of going into

what appears as large indebtedness, they would not go beyond high school. More than 3,000 American companies, Government agencies, and public service institutions employ work-study cooperative education students in a wide range of fields. The kind of encouragement which my bill advocates, and that to which the House testimony refers, could well lead to a tripling of these self-help better education programs within 5 years. I have said "better education" deliberately, because one of the great benefits is just that, as the student gears the experience of the practical world to the theory of the classroom and at the end of his course—commonly 5 years with a summer program as a functional part of it—his degree stands for much more of a recommendation to future employers than it would without the work experience. In fact, this better education bonus is one of the features which educators themselves with experience in this field continually stress.

For example, one of yesterday's witnesses was Dr. Rembert E. Stokes, president of Wilberforce University in Ohio. Wilberforce, the Nation's oldest predominantly Negro college, adopted cooperative education in the fall of 1964 with the help of the Ford Foundation and a private donor, a considerable change for an institution more than 100 years old. It is now the only mainly Negro college where cooperative education is the full-scale, required program. With a present enrollment of just under 1,000 students—up from 415 in 1964—earnings during this academic year will come close to \$1 million. I quote the following from Dr. Stokes' testimony:

Enough experience has been accumulated to know the profound educational improvement in the lives of our students and to predict the following education outcome from their Cooperative work-study experiences.

1. Dispelling of doubt and disbelief that real, new career opportunities exist.
2. Fresh motivation for the student to pursue his education through study and related experiences.
3. Development of a new pride and belief in oneself through practical achievement.
4. Usable knowledge of the requirements, expectations and rewards of being a productive member of society, including for many the stimulation to preparation for higher professional careers.
5. Greater facility for understanding how to live effectively in a complex society.
6. Creation of a campus environment which stimulates the development of the faculty and constructive changes in the growth of the college.

To me, Mr. President, from the president of such an institution as Wilberforce, these conclusions of experience provide powerful buttressing to all the arguments I have made in the past as I have advocated this form of education both here and elsewhere.

The proposal I have made, and that which the House subcommittee is considering, provides for the expansion of this program through Federal "startup" funds to the many institutions which have become interested in this educational concept but which have not found it possible to incur the costs of change. We cannot leave the Ford Foundation or other private sources to be, as in the

case of Wilberforce, the burden bearers of educational improvement by this means.

Provisions of grants, whether limited to \$65,000 as in my bill, or \$75,000 as in the House proposal, or some even larger sum, would actually become an investment, not a longrun cost. The reason is that as the earnings of students in new programs rise, with each of them becoming subject to income tax on a portion of their earnings, they will become taxpayers rather than receivers of subsidy as, for example, under the college loan program in which the Government pays all of the interest cost while they are in school.

Dr. Dewey Barich, president of Detroit Institute of Technology, testified yesterday that the proposed amendments to the Higher Education Act involved in this support of cooperative education would enable 400 additional institutions to move vigorously into cooperative education and to offer opportunity under it to 250,000 more students. In 6 to 8 years their earnings while in school would amount to more than \$500 million per year. With the average tax running at 10 percent of the student's gross pay, this means a new \$50 million per year income—far and away more than the program's startup costs to the Federal Government would be.

Earlier I cited some figures, taken from my statement on the introduction of S. 1736 less than a year ago. I note, however, that even without Government assistance they are already out of date. Where I cited then 112 institutions with such programs, the number is now 119, according to Dr. Barich. Where I then said 56,000 students were earning \$95 million annually, Dr. Barich updates this to 61,000 earning \$104 million this year. The idea is spreading, most deservedly. We in Congress can and should help it to spread by giving full backing to my bill or whatever variant may be recommended by the committees of both House and Senate as part of the Higher Education Act revisions of 1968.

NONTARIFF BARRIERS

Mr. MUSKIE. Mr. President, the official trade policy of the United States, as embodied in the Trade Expansion Act, is directed toward the reduction of tariff barriers and the encouragement of free trade between nations. The administration applied that policy in the negotiations leading to the trade concessions under the Kennedy round in Geneva.

I have mixed feelings about the application of our trade policy. In a number of instances I do not think our policymakers and trade negotiators have given sufficient weight to the problems confronting our industries which face floods of low-wage imports. In addition, I have wondered about the impact of nontariff barriers on our capacity to sell our goods overseas. Negotiations have tended to focus on the visible tariff barriers and to ignore invisible barriers which may be much more formidable.

To assist me in making a judgment on tariff laws and their effects on our economy, I requested from Mr. William Roth, special representative for trade negotiation in the Executive Office of the Presi-

dent, an inventory of the nontariff barriers imposed by the various countries of the world. I believe this information will be of interest to my colleagues. Although the data are not complete, these listings reflect the nontariff barriers on industrial products imposed by 52 of the 79 countries that adhere to the General Agreement on Tariffs and Trade.

Mr. Roth has advised me that his office is revising the inventory and is "endeavoring to obtain information on nontariff barriers for all the GATT countries." He has promised to forward that information as soon as possible.

On March 25, 1968, Mr. Roth will begin a public hearing on the future of U.S. trade policy. He has noted:

One of the topics on which we are encouraging interested parties to submit their views is measures that may constitute nontariff barriers to trade. There is much to be done in this area and we are very concerned about this serious problem.

I am gratified by Mr. Roth's interest and concern with this facet of trade policy.

I ask unanimous consent that the preliminary inventory of the nontariff barriers be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PRELIMINARY INVENTORY OF NONTARIFF TRADE BARRIERS BY COUNTRY

The attached Tables 1 through 52 are an initial attempt to list the more important non-tariff trade barriers on industrial products imposed by the 52 countries listed

below. They were compiled on the basis of reports and complaints received by Government agencies from the business community and other information relating to nontariff trade barriers. This preliminary inventory does not purport to be either comprehensive or accurate in all respects.

As indicated above, this preliminary inventory is limited to industrial products. With the exception of certain processed goods, such as alcoholic beverages and tobacco products, agricultural products are not included. The information presented is divided into three general classifications for each of the countries covered: "Non-Agricultural Quantitative Restrictions", "Health, Sanitary and Safety Restrictions", and "Other Restrictions".

The tabulations are included in Tables 1 through 52, as follows:

EUROPE

1. Austria
2. Belgium-Luxembourg
3. Denmark
4. Finland
5. France
6. Germany
7. Greece
8. Italy
9. Netherlands
10. Norway
11. Portugal
12. Spain
13. Sweden
14. United Kingdom

WESTERN HEMISPHERE

15. Argentina
16. Brazil
17. Canada
18. Chile

19. Dominican Republic
20. Haiti
21. Nicaragua
22. Peru
23. Trinidad and Tobago
24. Uruguay
25. Australia
26. Indonesia
27. Japan
28. Korea
29. Malaysia
30. New Zealand

FAR EAST

NEAR EAST-SOUTH ASIA

31. Burma
32. Ceylon
33. Cyprus
34. India
35. Israel
36. Kuwait
37. Pakistan
38. Turkey

AFRICA

39. Cameroon
40. Central African Republic
41. Chad
42. Congo (Brazzaville)
43. Gabon
44. Ghana
45. Kenya, Tanzania, Uganda
46. Malawi
47. Nigeria
48. Sierra Leone
49. South Africa
50. Southern Rhodesia
51. Upper Volta
52. Zambia

TABLE 1.—AUSTRIA

Product	Type of restriction
Nonagricultural quantitative restrictions:	
Controlled goods include such products as:	
a. Antibiotics and medicaments containing antibiotics.	Quantitative import restrictions.
b. Penicillin, tyrothrium.	Do.
Valuation and taxes: All imports.	1. Turnover equalization tax:
	(a) Certain foodstuffs, 1.8 percent.
	(b) Certain semifinished products, 5.25 percent.
	(c) Certain finished products, 6.75 percent.
	(d) Certain other finished products, 8.25 percent.
	2. "Organschaft" principle of turn over tax system.
Health, sanitary, and safety restrictions: Many industrial, canned, and packaged goods.	Industrial standards, marking and labeling requirements.

TABLE 2.—BELGIUM-LUXEMBOURG

Product	Type of restriction
Nonagricultural quantitative restrictions: Coking coal.	Quota, imports are licensed. 1967 quota for U.S. 807,000 metric tons.
Valuation and taxes: All imported goods.	Transmission tax or lump-sum tax—generally 7 percent but may vary on certain commodities from 1 to 15 percent.
Automobiles.	Road tax based on fiscal horsepower.
Health and sanitary restrictions: Pharmaceutical products.	Health and sanitary regulations.
Other restrictions:	
Motion picture films.	Subsidy (Belgium).
Anthracite.	Quota, imports are licensed. 1967 overall quota for 3d-country imports, 200,000 maximum. Anticipated 1967 total quota allotments, 185,000 metric tons. Estimated 1967 U.S. quota, 20,000 metric tons. (1966 U.S. quota, 20,000 metric tons.)
Penicillin, its salts and compounds, and products thereof (BLEU).	Benelux global quota. (1966 quota, 2,550,000,000 Oxford units, same as in 1965. 1967 quota presumed to be same as 1966.)
Lignite; coke; semicoke; petroleum and products; certain chemicals; basketwork; a number of textile fibers, yarns, and fabrics; women's synthetic hose; jute sacks; natural and synthetic precious and semiprecious stones and dust; tube, pipe, and hollow bars of gold; zinc plate, sheet, and strip; X-ray apparatus; firearms, other arms and parts; ammunition and military ordnance (BLEU).	Import licensing.

TABLE 3.—DENMARK

Product	Type of restriction
Health, sanitary, and safety restrictions: Electrical equipment, e.g., coffeemakers, toasters, socket-powered radios, TV's, phonographs, etc.	Rigid technical standards.
Other restrictions:	
Pharmaceutical products.	Price-fixing provision of Dispensing Chemist Act.
Approximately 24 products including electrical machinery, certain publications, cleaning powders, furniture, pencils, brushes, building fittings, handtools; wire, nails, and tacks.	Marking regulations.
All products purchased for the public account.	Government procurement practices.
Valuation and taxes:	
Nearly all manufactured goods.	10 percent value-added tax.
Motor vehicles.	Excise tax.

TABLE 4.—FINLAND

Product	Type of restriction
Nonagricultural quantitative restrictions:	
Certain gasoline; some chemicals; certain textile fabrics; some clothing, headgear and footwear; certain articles for household use; certain precious metals; and jewelry; passenger cars, trucks, toys, games.	Global quotas.
Mineral fuels, oils, waxes; coal, briquettes, ovoids; coke, semicoke of coal, lignite; petroleum and shale oils, crude oil, predistilled motor gasoline, heating and lighting fuel.	Import licensing.
Valuation and taxes:	
Nearly all manufactured goods.	Turnover tax—12.4 percent.
Automobiles and motorcycles.	Excise tax—155 percent of c.i.f. duty-paid value minus Fmk 2,250 (\$703).
Alcoholic beverages, confectionery, matches, automobile tires, tobacco products, mineral waters, liquid fuels, sugar, and certain fats for foods.	Excise tax.
Health, sanitary, and safety restrictions:	
Electrical equipment, appliances.	Safety and technical standards.
Pharmaceuticals, drugs, poisons.	Safety standards.
Other restrictions:	
Alcoholic beverages, fertilizers, grains, crude petroleum, radioactive materials.	State trading.
Consumer goods; e.g., washing machines, TV sets, passenger cars, household articles, textiles, footwear, clocks and watches, furniture, tractors, tires. Also a few capital goods; e.g., vending machines.	Credit restrictions.

TABLE 5.—FRANCE

Product	Type of restriction
Non-agricultural quantitative restrictions:	
Assemblies of parts of radioelectric apparatus containing crystal diodes, triodes, including transistors; crystal diodes, triodes, including transistors and parts.	Quotas, import licensing.
Airplanes and parts.	Quotas for airplanes 2,000 kilograms or less, import licensing.
Valuation and taxes:	
Cigarettes.	Monopoly operation.
Automobiles.	Annual usage tax.
Most imports.	"Value added tax" (TVA) standard rate: 25 percent of duty paid value. Rate will become 20 percent as of Jan. 1, 1968, following Government reform of TVA.
All imports.	Customs stamp tax, 2 percent of customs charges.
Health, sanitary, and safety restrictions: Pharmaceutical products.	Approval of French Ministry of Public Health required on both domestic and imported items.
Other restrictions:	
Coal, briquets, ovoids, and similar solid fuels of coal manufacture.	State traded.
Petroleum and shale oils other than crude; preparations.	Do.
Paper, paperboard, and newsprint.	Do.
Airplanes and parts.	Do.
Spirits distilled from grain; i.e., whisky, vodka, etc.	Advertising restriction.
All products purchased for public account.	Government procurement practices.
Motion picture films.	(a) Subsidy. (b) Screen-time quota 41.5 percent.

TABLE 6.—FEDERAL REPUBLIC OF GERMANY

Product	Type of restriction
Nonagricultural quantitative restrictions: Hard coal, not briquetted; briquets and similar solid fuels and coke, except for the manufacture of electrodes.	Subject to tariff quotas; overquota rate is prohibitive.
Valuation and taxes: All manufactured products.	Turnover equalization tax (4 to 9.5 percent).
Other restrictions: Motion picture films.	Subsidy.

TABLE 7.—GREECE

Product	Type of restriction
Nonagricultural quantitative restrictions:	
List A: Products such as cosmetics; textiles, including used clothing; TV receivers; automobiles, trucks, buses, jeeps, special purpose vehicles, and truck and passenger trailers.	Import licensing.
List B: Products such as agricultural, mining, food processing and electrical machinery and spares; used machinery and spares except used earthmoving and roadbuilding equipment.	Do.
All imports.	Advance deposit requirement and other credit controls.
Valuation and taxes:	
All industrial products.	Turnover tax on imports 2.25 to 8.75 percent.
Most imports.	Luxury and consumption taxes ranging from 10 to 70 percent of c.i.f. duty-paid value.
Other restrictions:	
Passenger cars used as taxis.	Permissible length for taxis in Athens-Piraeus area is 5 meters.
Cigarette paper, kerosene.	State trading.
Motion picture films.	Screen-time quota, subsidy.
Plastic containers used in the packing of food products.	Ban on the use of coloring materials.

TABLE 8.—ITALY

Product	Type of restriction
Nonagricultural quantitative restrictions:	
Citric acid and crude calcium citrate.	Import licensing.
Tetraethyl lead and antiknock preparations.	Quota, 240 metric tons (United States-United Kingdom only), import licensing.
Essential oils of lemons.	Import licensing.
Elemental sulfur.	Quantitative import restrictions.
Valuation and taxes:	
Practically all products.	Turnover tax on import sale of 4 percent.
Majority of items imported.	Compensatory import tax of up to 7.8 percent.
Automobiles.	Road tax.
Other restrictions:	
Motion picture films.	Screen-time quota, 38 percent.
Do.	Law which passed in 1965 grants tax rebates to exhibitors of national feature films, qualifying under the national film quota amounting to 18 or 35 percent of the admission tax, depending on the admission price of the theater.

TABLE 9.—NETHERLANDS

Product	Type of restriction
Nonagricultural quantitative restrictions:	
Alcohol and certain other industrial chemicals; penicillin; coal and coke; certain cotton fabrics; artificial textile fibers and certain fabrics thereof; wool and fine hair; flax; hemp; zinc sheets and strips.	Import licensing.
Pencillin, its salts and compounds, and products thereof.	Benelux global quota.
Valuation and taxes:	
All items whether imported or produced domestically, except "necessities of life"—food, fuel, medicine, clothing, etc.	Turnover tax. Rates vary from 1 to 18 percent, the majority being at 5 percent.
Manufactured tobacco products; ethyl, propyl and isopropyl alcohol; beer; sugar; petroleum products; and wine.	Excise tax.
Motor vehicles.	Annual road tax.
Health and sanitary restrictions: Upholstery fabrics, shoe dyes, various pharmaceuticals and cosmetics, and oils and fats.	Certificates of inspection, advertising restrictions, labeling regulations.

TABLE 10.—NORWAY

Product	Type of restriction
Valuation and taxes:	
Nearly all manufactured goods.	Turnover tax, 11.11 percent.
Motor vehicles.	Excise tax on motor vehicles: 35 percent on 1st \$840, 60 percent of amount over \$840. Rigid electrical standards.
Health, sanitary, and safety restrictions: Electricity-consuming apparatus including electrical appliances.	
Other restrictions:	
Alcohol, alcoholic beverages, medicines and pharmaceuticals, fishing gear.	State trading.
All products purchased for the public account.	Government procurement practices.

TABLE 11.—PORTUGAL

Product	Type of restriction
Nonagricultural quantitative restrictions:	
Certain natural or processed raw materials, some textile fibers, automotive vehicles and apparatus, miscellaneous manufactured goods.	Global or bilateral quotas.
All other goods.	Import license.
Valuation and taxes: Automobiles.	Sales tax.
Health, sanitary, and safety restrictions: Pharmaceutical preparations.	Marking and labeling regulations.
Food and other products containing saccharine.	Imports prohibited.
Other restrictions: All purchases for the public account.	Government procurement practices.

TABLE 12.—SPAIN

Product	Type of restriction
Nonagricultural quantitative restrictions:	
All liberalized goods (includes raw materials, capital goods and equipment, manufactured and consumer goods).	Import declaration.
All used machinery and equipment.	Import license.
Arms: Sporting weapons.	Bilateral import regime.
Motion pictures.	"Baremo system" screen-time quota.
All imports other than those listed above.	Global quota or bilateral import regime.
Valuation and taxes:	
All imports.	Compensatory import tax range: 3 to 15 percent; average 5 to 10 percent; assessed on duty-paid value.
Motion pictures.	Dubbing tax.
Health, sanitary, and safety restrictions: Pharmaceutical and cosmetic preparations.	Registration with Public Health Department.
Other restrictions:	
Certain types of coal, petroleum, and derivatives, cotton.	State trading.
All products.	Use of imported goods prohibited in projects involving State or other local government funds; includes national or quasi-national firms.

TABLE 13.—SWEDEN

Product	Type of restriction
Nonagricultural quantitative restrictions: Automobiles, including special vehicles.	Import license.
Valuation and taxes:	
All imports.	Turnover tax, 11.1 percent.
Gasoline, motor spirits, coal, coke, fuel oil.	Energy tax:
	(a) Coal—\$1.14 to \$2.66 per metric ton.
	(b) Gasoline—0.57 crowns per liter. (about 65 percent of retail price).
	(c) Electricity—10 percent on industrial consumption; 7 percent on other use.

TABLE 13.—SWEDEN—Continued

Product	Type of restriction
Valuation and taxes:	
Certain rugs, articles of gold and silver, precious stones, phonograph mechanisms, and records.	Sales tax. Rate varies according to product. Jewelry, 20 percent.
Passenger automobiles, trucks.	Automobile sales tax. 155 percent of service weight expressed in Swedish crowns plus 195 crowns for each 50 kilograms over 1,600 kilograms.
Certain furs.	Fur tax: 2 to 10 percent.
Toilet articles, cosmetics, and similar preparations.	Commodity tax: 20 to 65 percent.
Playing cards.	Stamp tax: \$0.19 per pack.
Health, sanitary, and safety restrictions:	
Electrical equipment and appliances.	Rigid application of electrical standards.
Pharmaceuticals, drugs, and poisons.	Pharmaceutical.
Lawnmowers (motor driven, rotary blade).	Safety regulation.
Other restrictions:	
Spirits and wines.	State trading.
Articles of precious metals.	Hallmarking.
Imports in general.	Marks of origin.

TABLE 14.—UNITED KINGDOM

Product	Type of restriction
Nonagricultural quantitative restrictions:	
Coal and solid fuels manufactures of coal.	State trading (de facto). Import license required. No licenses issued—virtual prohibition of imports.
Cigars.	Quota £50,000 for 1966-67 from dollar area of which not more than £30,000 for hand-made cigars.
Bottled and canned grapefruit.	Dollar area quota of £450,000 for period Oct. 1, 1966, to Sept. 30, 1967.
Orange and grapefruit juice.	Dollar area quota of £300,000 for 12-month period beginning Oct. 1, 1966.
Rum.	Dollar area quota of £90,000 for calendar year.
Other restrictions:	
Motion picture films.	(a) Subsidy. (b) Screen time.
TV films.	Screen time quota: 14 percent for imported films.
Telephone apparatus (exchange equipment, cables, and loading carts).	Government procurement practices.
Timber (Douglas-fir).	Government procurement.
Aircraft weighing more than 4,500 lbs.	Import license required.

TABLE 15.—ARGENTINA

Product	Type of restriction
Nonagricultural quantitative restrictions:	
Automotive products.	Prohibited.
Nearly all imports except raw materials and capital goods.	Prior deposit 40 percent c.i.f.
Capital goods.	Payment schedule prescribed by Central Bank for shipments exceeding \$10,000; minimum payment terms range from 2 years for goods valued up to \$30,000 to 5 years for goods valued up to \$1,000,000.
Valuation and taxes:	
Affecting imported goods:	
All goods.	Statistical tax: 1.5 percent c.i.f.
Do.	Surcharge: 4-percent ocean freight charges.
Do.	Consular fee: 1.5 percent of f.o.b.
Products made of iron and steel.	Iron and steel tax: 0.20 to 2.00 pesos/NK.
Forest products.	4 to 10 percent of c.i.f. value.
Incandescent bulbs.	Minimum official valuation in determining import duty.
Affecting national and imported goods:	
Sales tax:	
Electric shavers.	20 percent duty paid value.
Air conditioners.	
Televisions.	
Radios.	
Phonographs.	
Sound recorders.	
Phonographic equipment.	15 percent duty paid value.
Binocular and similar apparatus.	
Pleasure boats.	
Most automotive products.	10 percent duty paid value.
Household electrical goods.	
Watches.	These excise taxes range widely and are based on the quantity or strength of the goods sold.
All other commodities.	
Additional excise taxes:	
Alcoholic beverages.	These excise taxes range widely and are based on the quantity or strength of the goods sold.
Cards.	
Matches.	
Tobacco and its products.	
Cosmetics.	
Various toys.	Notarized sanitary certificate.
Petroleum products.	
Health, sanitary, and safety restrictions:	
Animals, plants, and their products.	Subject to prior registration in Argentina.
Pharmaceuticals, cosmetics, foods.	Notarized certificate of safety.
Used machinery.	

TABLE 16.—BRAZIL

Product	Type of restriction
Valuation and taxes:	
All imports.	Customs clearance 5 percent of c.i.f. value. Port improvement tax: 1 percent of c.i.f. value.
Wide variety of processed or manufactured goods; e.g., industrial chemicals and chemical products; machinery and mechanical appliances; electric and electronic equipment; automotive and other vehicles; cigarettes.	Merchant marine improvement tax: 10 percent of freight charges.
About 200 items.	Industrialized products tax: 4 percent to 30 percent; majority of rates under 10 percent.
Other restrictions:	
All imported items declared to be "similar" to goods produced domestically.	Minimum valuation.
All imports.	System of "similares" requiring formal registration of specific products.
Motion picture films.	Documentation and procedural requirements.
	Screen-time quota, 12 percent.

TABLE 17.—CANADA

Product	Type of restriction
Nonagricultural quantitative restrictions:	
Aircraft, used.	Import prohibition.
Automobiles, used.	Do.
Valuation and taxes:	
All products.	Automatic antidumping provisions.
Manufactured goods.	Arbitrary valuation.
Health, sanitation, and safety restrictions:	
Forest products, drugs, insecticides, cosmetics, fertilizers, upholstery.	Sanitary regulation.
Electrical equipment.	Safety regulations.
Other restrictions:	
Alcoholic beverages.	Monopoly operated by Canadian Provinces—QR's licensing.
Contractor's machinery and equipment.	Uncertain valuation.
Coal.	Tourist duty-free allowance.
Containers.	Transport subsidy on domestic coal.
	Canned goods are permitted import only if in cans of sizes established by the Canadian Government.

TABLE 18.—CHILE

Product	Type of restriction
Nonagricultural quantitative restrictions:	
Many imports (permitted list).	Advance deposit, 5 to 10,000 percent.
Many imports (prohibited list).	Prohibited list, embargo.
Many imports (not on either list).	Conditionally prohibited.
All imports.	Shipping restriction.
Imports of items included on Chile's LAFTA concession list.	Preferential treatment.

TABLE 19.—DOMINICAN REPUBLIC

Product	Type of restriction
Nonagricultural quantitative restrictions:	
All imports.	Exchange control.
Passenger cars valued at over \$2,000.	Import prohibition.
Passenger cars valued at less than \$2,000; most electric household appliances (including used stoves, refrigerators, and freezers), air conditioners, clothing, footwear, and leather goods, cosmetics, alcoholic beverages, fresh and canned fruits and vegetables, paints and enamels, varnishes, soaps and detergents, and most plastic products.	Exchange quotas limiting importers to 25 percent of the foreign exchange total granted during the previous 12-month period; effective until Dec. 31, 1967.
A wide range of luxury goods, including prepared cereals, smoked or dried fish, evaporated and condensed milk, alcoholic beverages, crystal and glassware.	Importable only under prepaid letter of credit.
Wide range of luxury goods, such as household electrical appliances, clothing, footwear, furniture, bedding, jewelry, toilet preparations, alcoholic beverages, confectionery, fruit juices and preserves, cigars and cigarettes, and passenger cars.	Prior import deposit of 40 percent of f.o.b. value for 6-month period.
Most other imports, except essential foodstuffs, medicinal and pharmaceutical goods, agricultural machinery and equipment, most raw materials, and related goods.	Prior import deposit of 20 percent of f.o.b. value for 6-month period.
Wide range of food products.	Prior import deposit of 10 percent of f.o.b. value for 6-month period.

TABLE 20.—HAITI

Product	Type of restriction
Nonagricultural quantitative restrictions:	
Butter and margarine, rice, shoe polish, cotton cloth and manufactures of cotton cloth, old newspapers and other old papers.	Import licensing.
Christmas trees, used clothing, rags, hats, shoes, household linens, and furnishings.	Importation prohibited.
Tobacco, matches, soap, detergents, cosmetics, various foodstuffs, textiles, tires and tubes, cement, various agricultural chemicals, and household appliances.	State trading; such imports are controlled by the Government tobacco monopoly.
Television sets.	Private monopoly.

TABLE 21.—NICARAGUA

Product	Type of restriction
Nonagricultural quantitative restrictions:	
Many imports.	Advance deposit.
Cotton ginning plants; industrial plants for pasteurizing and sterilizing milk; equipment for the slaughter of cattle and hogs, and other slaughterhouse equipment.	Approval for importation by Ministry of Economy required.
Valuation and taxes:	
Gasoline.	Excise tax—C\$0.05 per gallon. ¹
Alcoholic beverages of 40 percent or over.	Excise tax—U.S. \$0.62 per liter.
Beef.	Excise tax—C\$0.60 per liter.
Bottle caps and crown caps.	Excise tax, 2 centavos.
Liquor.	Stamp tax:
	(A) Containers over 500 grams: C\$2.
	(B) Containers, 240 to 500 grams: C\$0.75.
	(C) Containers, less than 240 grams: C\$0.40.
All imports.	Consular fee, 7 percent.
Health, sanitary, and safety restrictions: Propellant powders, prepared explosives, and hunting or sporting ammunition and fuses, primers and detonators (nonordnance) except pyrotechnical articles; caffeine, quinine, and other alkaloids; coloring materials used in beverages and foodstuffs; pharmaceutical specialties and biological products.	Prior authorization.

¹ 7 Cordobas to U.S. \$1.

TABLE 22.—PERU

Product	Type of restriction
Nonagricultural quantitative restrictions: Textile machinery.	Import license.
Valuation and taxes:	
Approximately 50 tariff classifications, with future lists expected soon.	Minimum valuations.
All goods.	Statistical tax: 1.5 percent c.i.f.
Do.	Surcharge: 4 percent ocean freight charges.
Health, sanitary, and safety restrictions: Pharmaceuticals, firearms, explosives and similar items.	Prior authorization required.
Other restrictions: Products produced for public account.	Government procurement practices.

TABLE 23.—TRINIDAD-TOBAGO

Product	Type of restriction
Nonagricultural quantitative restrictions: A large and growing number of home and other consumer products, particularly in textiles, leather and plastic goods and automobile accessories.	Specific import license.

TABLE 24.—URUGUAY

Product	Type of restriction
Nonagricultural quantitative restrictions: Most imports; e.g., automobiles and parts, gas ranges, clocks and watches, gas refrigerators, electric shavers, TV sets, slide projectors, apparel.	Advance deposit requirement.
Valuation and taxes:	
Most goods except essential items of an industrial, agricultural, or medicinal nature.	Balance-of-payments surcharge: 30 to 300 percent.
All imports.	Port handling fee: \$0.25 per 100 kg. of gross weight or \$0.33 per 100 pesos of valuation.
Other restrictions: Most imports.	180-day prohibition.

TABLE 25.—AUSTRALIA

Product	Type of restriction
Nonagricultural quantitative restrictions:	
Roller and ball bearings.	Import licensing.
Secondhand or disposals machinery or equipment and parts for earthmoving or construction purposes.	Do.
Aluminum.	Do.
Valuation and taxes: Wide range (several hundred) of industrial and consumer items.	Sales tax, 12.5 percent.
Other restrictions:	
Cellulose acetate flake.	Subsidy, 10d. per pound.
Sulfuric acid.	Subsidy.
Tractors.	Do.
All packaged goods.	Weights and measures regulations.
Motion picture films.	Screen-time quota.

TABLE 26.—INDONESIA

Product	Type of restriction
Nonagricultural quantitative restrictions:	
No quota restrictions on imports.	Imports handled through exchange certificate system.
Licenses for individual imports no longer required.	Special permit issued by Minister of Trade.
Indonesia has a prohibited list of domestically produced items and some luxury products including:	
Plaiting and carving materials; other raw vegetable materials and products.	
Ethyl alcohol and certain liquids containing ethyl alcohol.	
Black printing ink.	
Prepared paints, other than ship and spray paints.	
Shoe polish.	
Old leather and leather waste.	
Scouring and polishing paper.	
Silk and artificial silk waste; silk and artificial silk shoddy.	
Various textile items such as sarongs, kains, and scarves made of silk, wool, cotton, or other materials.	
Knitted and crocheted cotton articles (vests, pants, shirts).	
Rags and cloth waste.	
Writing and drawing slates.	
Rubber-tapping cups of earthenware and white porcelain.	
Drinking glasses, various other glass bottles, cups, containers.	
Hoes, stickles, picks of iron or steel.	
Certain kitchen utensils of iron or steel (other than enameled ware) or of aluminum including cooking pots, kettles, and casseroles.	
Aluminum tubes used as packing or as bottle stoppers.	
School slates and various writing and drawing equipment.	
Dry batteries (sized about 60 mm. in length; 33 mm. in diameter).	
Radio-television receiving sets not in knocked-down condition.	
6- or 12-volt accumulators, with highest amperage of 150.	
Passenger cars, United States, \$2,000 or more.	
Valuation and taxes:	
All items on GATT schedule.	Special levy (BLD contribution).
All imports.	1-percent BLD levy.
Wide range of nonessential items and domestically produced goods.	Surcharge (50 and 100 percent based on import duty). Excess profit levy (ranging from rupiah 10 to rupiah 200 per U.S. dollar).
Other restrictions: Many essential items, including rice, cloves, cambrics, fertilizers, raw cotton, weaving yarn and thread, textiles and dyes, tinplate, paper cement, reinforcing rods, and other capital goods.	State trading.

TABLE 27.—JAPAN

Product	Type of restriction
Nonagricultural quantitative restrictions: As of March 1967, coal; gas oils, heavy fuel and raw oils, and other petroleum oils; some chemicals and pharmaceutical products; leathers (excluding raw) and leather products, especially footwear; alcoholic beverages; color film; some alloy tool steels; large steam boilers and turbines, some types of diesel engines, and certain large electric generators; internal combustion engines and parts, and certain large electric generators; aircraft and aircraft motors and parts; office machinery including digital type computers and parts; among other items, still remain under the import quota (IQ) licensing system.	Quota-import (licensing).

TABLE 27.—JAPAN—Continued

Product	Type of restriction
Valuation and taxes:	
Whiskey.....	Internal tax of 150 percent on high-priced whiskeys and brandies and tax.
Automobiles.....	Commodity (sales) tax of 15, 30, or 40 percent.
Other restrictions:	
Cigarettes.....	State trading.
Ethyl alcohol.....	Do.
Salt.....	Do.

TABLE 28.—KOREA

Product	Type of restriction
Nonagricultural quantitative restrictions:	
Since July 25, 1967, Korea has had an import plan based on a negative list of items which require licenses under a quota requiring approval of the competent ministry for importation.	(1) Quota, import (licensing).
In addition, there is also a list of items that are prohibited importation. Textiles and textile products, among others, are on the prohibited list.	(2) Prohibition.

TABLE 29.—MALAYSIA

Product	Type of restriction
Nonagricultural quantitative restrictions: Amusement machines, arms and ammunition.	Import licensing.
Other restrictions:	
Motion picture films.....	Screen-time quota.
Goods purchased for the public account.....	"Buy national" policy.
Automobiles.....	Ad valorem registration fee:
	(a) 15 percent for United Kingdom origin.
	(b) 25 percent for other Commonwealth origin and other country.
Trucks and buses used for business or public purposes.	Ad valorem registration fee:
	(a) None for Commonwealth origin.
	(b) 15 percent for non-Commonwealth origin.

TABLE 30.—NEW ZEALAND

Product	Type of restriction
Nonagricultural quantitative restrictions: Most imports, including the following which have been subject of complaint by U.S. exporters: flavored drinking straws, pumps, industrial sewing machines, commercial refrigerators, textile products, photographic equipment, reel-bar side rakes, beer, musical instruments.	Import licensing; quotas.

TABLE 31.—BURMA

Product	Type of restriction
Nonagricultural quantitative restrictions: All imports.	Government monopoly of imports.
Valuation and taxes: All goods imported for sale..	Sales tax: (a) Luxury goods, 18.75 percent (b) standard goods, 12.50 percent; (c) privileged goods, 6.25 percent.
Other restrictions:	
Imports, general.....	Bilateral reparations agreement.
Industrial plants and related equipment.....	Bilateral loan agreement.
All products purchased for the public account..	Government procurement practices, short bid-deadlines.

TABLE 32.—CEYLON

Product	Type of restriction
Nonagricultural quantitative restrictions:	
All imports.....	Individual import licensing, exchange quota.
Nonessential items, including sunglasses, cigarette lighters, cigarette lighter flints, perfumery, bangles and beads, wallpaper, waste paper and oil paper, floor tiles, domestic ware, ballpoint pens, plastic sheets with floral designs, floor covering, chilled and frozen fruits, bicycle parts, electric lamps, photographic and cinematographic apparatus, watches and clocks, footwear, and automobiles.	Prohibition.
Textile products.....	Requirement that domestic product must be purchased in specified ratio to imported product.
Health, sanitary, and safety regulations:	
Cotton rugs, used clothing.....	Sanitary.
Drugs and pharmaceutical preparations.....	Health.

TABLE 32.—CEYLON—Continued

Product	Type of restriction
Other restrictions:	
Various items.....	Bilateral agreements.
Cereals, flour, pulses, sugar, fish, certain other foodstuffs, cement, textiles, newsprint, paper and paperboard, petroleum products, caustic soda, animal feedstuffs.	Government monopoly imports.

TABLE 33.—CYPRUS

Product	Type of restriction
Nonagricultural quantitative restrictions: Meat and poultry; certain dairy products; wheat and flour; fruits and vegetables, fresh or dried preserved; prepared animal foods; common soap and detergents; certain chemicals; wood creosote, pitch, and tar; wooden boxes and cases; builders' wood-work; cardboard and paper containers; certain textiles; iron wire, wire netting, and wire nails; portland cement; mosaic floor tiles; iron and steel buckets for household use; crown corks; steam generating boilers and engines; metal- and wood-working machinery; centrifugal pumps; papermill and pulpmill machinery and machinery for paper manufactures; printing machinery; textile machinery; industrial sewing machines; certain other nonelectrical machinery; electric amplifiers; wood furniture and fixtures; table, household, and decorative articles of plastics, except flooring tiles; artificial teeth.	Import licensing.

TABLE 34.—INDIA

Product	Type of restriction
Nonagricultural quantitative restrictions:	
All imports except Government orders, imports under open general license, and passenger baggage.	Import license, import fees, exchange control quotas.
Capital goods, heavy electrical plant, and machine tools valued at \$100,000 or more. ¹	Special licensing terms.
Valuation and taxes:	
Imports in general.	Excise tax.
Tobacco and tobacco products; salt; petroleum products; vegetable oils and fats; pigments, colors, paints, enamels, varnishes, flacks, and cellulose lacquers; soda ash; caustic soda; sodium silicate and glycerin; synthetic organic dyestuffs; organic luminophores; patent medicines; cosmetics and toilet preparations not containing alcohol or narcotics; nitric, hydrochloric, and sulfuric acids; compressed, liquefied, or solidified gases; soap; plastics; organic surface-acting agents; cellophane; tires and certain other rubber products; plywood and paperboard; paper; cotton twist, yarn, and thread; rayon and synthetic fibers and yarn; woolen yarn; cotton, woolen, silk, and synthetic fabrics; jute manufactures; cement; glass and glassware; asbestos cement products; silver; iron in crude form; steel ingots; copper and copper alloys; iron and steel products; zinc; aluminum and products; lead; tin plate and tinne sheets; internal combustion engines; refrigerating equipment; electric motors; batteries; lighting bulbs and tubes; electric fans; wireless receiving sets; motor vehicles; cycles and parts; footwear; cinematograph films; record players, matches; and mechanical lighters.	
Health, sanitary, and safety restrictions: Pharmaceuticals, medicines.	Health regulations.
Other restrictions:	
Artificial silk yarn and thread, caustic soda, soda ash, newsprint, cement, fertilizer, petroleum products, other items as might be determined from time to time such as capital goods and industrial raw materials.	State trading.
Products purchased for public account.....	Government procurement practices:
	(a) Price differential.
	(b) Erratic bidding practices.
Engineering goods; chemicals, drugs, and pharmaceuticals; tires and tubes; paper products; leather and leather goods; plastics; fish and fish products; sports goods; woolen carpets and rugs; woolen textiles and hosiery, and mixed fabrics and ready-made garments thereof; unmanufactured tobacco and cigarettes; processed foods; cotton textiles and apparel; cashew kernels; gem and jewelry items; cinematograph films.	Export subsidies:
	(a) Import entitlements.
	(b) 25 percent rebate on domestic rail charges.
Imports in general.	Bilateral agreements.
Motion picture films.....	Restriction on transfer of film earnings.
Ammonium nitrate fertilizer.....	Dock unloading restrictions.
Engineering goods, iron and steel, china clay, plywood products, absorbent cotton, woolen carpets, cotton textiles.	Cash subsidies.
Flameproof mining machinery.....	Specifications.

¹ Many of these items are imported under tied procurement aid agreements with the United States and other foreign countries. Considerable amounts of U.S. exports of these items are supplied under AID loans.

TABLE 35.—ISRAEL

Product	Type of restriction
Nonagricultural quantitative restrictions: Imports in general.	Import licensing.
Valuation and taxes:	
Most imported goods.	Purchase tax: 5 percent to 100 percent; few items over 100 percent.
	Import surcharge.
Numerous items, including many foodstuffs; edible oils and fats; alcoholic beverages; tobacco; crude petroleum; fuel oils and gases; certain chemicals and plastics; hides, skins, and leather; certain wood products; certain paper products; many textile products; certain glass products; a few products of base metals; electric refrigerators; transformers up to 2,500 V.A.; certain electric apparatus; musical instruments.	
Health, sanitary and safety restrictions: Medicines and pharmaceutical preparations; cosmetics.	Health restrictions.
Other restrictions: Motion picture films.	(a) Subsidy.

TABLE 36.—KUWAIT

Product	Type of restriction
Nonagricultural quantitative restrictions: Firearms, munitions, poisons, pork and alcoholic beverages.	Import licensing.
Other restrictions: All imports.	Arab boycott of Israel.
	Agency requirements.

TABLE 37.—PAKISTAN

Product	Type of restriction
Nonagricultural quantitative restrictions: All commercial imports except a few items on free list (composition of free list varies in successive licensing policies) and imports by government departments.	Import and exchange licensing.
Valuation and taxes:	
Most products imported for sale.	Sales tax—15 percent in most instances.
All imports except for exempted items of machinery and parts, components and apparatus for use with machinery.	Customs surcharge—25 percent of customs duty.
Health, sanitary and safety restrictions: Pharmaceutical preparations, medicines.	Health regulation.
Other restrictions:	
Motion picture films.	(a) Remittance restriction.
Automobiles.	(b) Import restriction.
	Value imitation.

TABLE 38.—TURKEY

Product	Type of restriction
Nonagricultural quantitative restrictions:	
All permissible imports.	Import licensing.
Some chemicals, paints, and pharmaceuticals; explosives; some photographic equipment; plastics and certain rubber goods; some wood, paper, and textile products; some glass products and most manufactures of copper, aluminum, and zinc; certain tools; some tractors and trucks, trailers, and motorcycles; planes for spraying; clocks and watches; musical instruments; tape recorders and tape; certain scientific and technical instruments; many types of industrial, agricultural, and electrical machinery and apparatus; office machines, certain iron and steel products; certain, vegetable oils; asbestos; and certain petroleum products.	Quotas.
Valuation and taxes:	
All imports.	Surtax, 15 percent of the assessed duty.
All goods imported by sea.	Port tax, 5 percent of cost, insurance, and freight plus duty, surtax, and customs clearance costs.
All imports.	Stamp tax, 10 percent of cost, insurance, and freight value.
Most imports.	Production tax ranging from 10 to 75 percent of sum of cost, insurance, and freight value, customs duty, customs surtax, port tax, and customs clearing expenses.
All imports.	Consular invoice fee ranging from 0.3 to 0.5 percent of free on board value.
Motion picture films.	Film tax:
	(a) Foreign films, 70 percent.
	(b) Domestic films, 25 percent.
Methyl alcohol.	Monopoly tax.
Automobiles.	Surtax.
Health, sanitary, and safety restrictions: Medicines, pharmaceuticals; baby foods; medical equipment; some chemicals, insecticides, weed killers; magazines, books, newspapers.	Special administrative controls requiring approval of certain Government agencies for importation.
Other restrictions:	
Tobacco and tobacco products; cigarette paper; various alcoholic beverages.	State trading.
All imports.	Advance deposit.
Do.	Guarantee deposit.

TABLE 39.—CAMEROON

Product	Type of restriction
Nonagricultural quantitative restrictions: All imports.	Import licensing and exchange quotas.
Valuation and taxes:	
All dutiable imports.	Turnover tax 10 percent.
Many items.	Additional tax 5 to 35 percent.
Other restrictions:	
Various items.	Bilateral trade agreements.
All imports.	Discriminatory tariffs.

TABLE 40.—CENTRAL AFRICAN REPUBLIC

Product	Type of restriction
Nonagricultural quantitative restrictions: All imports.	Import licensing and exchange quotas.
Valuation and taxes:	
All dutiable imports.	Turnover tax, 10 percent.
Selected items.	Additional tax: 5 to 25 percent.
Other restrictions: All imports.	Discriminatory tariff.

TABLE 41.—CHAD

Product	Type of restriction
Nonagricultural quantitative restrictions: All imports.	Import licensing and exchange quotas.
Valuation and taxes:	
All imports.	Turnover tax—10 percent.
Selected items.	Additional tax 5 percent to 45 percent.
Other restrictions: All imports.	Discriminatory tariff.

TABLE 42.—CONGO (BRAZZAVILLE)

Product	Type of restriction
Nonagricultural quantitative restrictions: All imports.	Import license and exchange quota.
Valuation and taxes:	
All imports.	Turnover tax—10 percent.
Selected items.	Additional tax 5 percent to 15 percent.
Other restrictions: All imports.	Discriminatory tariff.

TABLE 43.—GABON

Product	Type of restriction
Nonagricultural quantitative restrictions: All imports.	Import licensing and exchange quota.
Valuation and taxes: All imports.	Turnover tax—10 percent.
Other restrictions: All imports.	Discriminatory tariff.

TABLE 44.—GHANA

Product	Type of restriction
Nonagricultural quantitative restrictions: Most imports.	Import licensing.
Valuation and taxes:	
Vehicles.	Purchase tax 5 to 100 percent.
Most imports.	Sales tax, 11½ percent.
Selected items.	Excise tax, 2½ to 75 percent ad valorem.

TABLE 45.—KENYA, TANZANIA, AND UGANDA

Product	Type of restriction
Nonagricultural quantitative restrictions:	
Certain dairy products, cereals, fruits, and vegetables, foodstuffs, fertilizers, animal and vegetable oils, bags and sacks, cement, jewelry, matches, and gold.	Import licensing.
Although Kenya, Tanzania, and Uganda are separate political areas, they have a common customs union. All goods other than those listed enter under open general license, except those which are excluded, such as counterfeit money, obscene literature, etc.	

TABLE 46.—MALAWI

Product	Type of restriction
Nonagricultural quantitative restrictions: Some textile products; secondhand clothing; jute bags; gold; matches; certain knives; secondhand accounting machines; radioactive elements; explosives; arms and ammunition; game traps; trophies.	Import licensing.
Valuation and taxes: Cigarettes, alcohol and alcoholic beverages, soaps and soap substitutes.	Excise tax.

TABLE 47.—NIGERIA

Product	Type of restriction
Nonagricultural quantitative restrictions: Cotton and cotton byproducts, soybeans, articles manufactured of gold, coal, petroleum products, second-hand clothing, and cement.	Import licensing.
Health, sanitary, and safety regulations: Pharmaceuticals.	Discriminatory classification.

TABLE 48.—SIERRA LEONE

Product	Type of restriction
Nonagricultural quantitative restrictions: Certain foodstuffs, medicinal and pharmaceutical products, firearms, ammunition, and explosives, some jewelry and products similar to those produced locally.	Import licensing.

TABLE 49.—REPUBLIC OF SOUTH AFRICA

Product	Type of restriction
Nonagricultural quantitative restrictions: Most imports.	Import licensing.
Other restrictions: Motion picture films.	Domestic subsidy.

TREASURY REFORM OF INDUSTRIAL REVENUE BOND REGULATIONS

Mr. RIBICOFF. Mr. President, on November 8, 1967, I introduced a bill which would end the tax-exempt status of interest paid on industrial development bonds. In the accompanying statement I pointed out the great difficulty in understanding how under the language of the Internal Revenue Code these bonds could be regarded as "obligations" of State and local governments for Federal tax purposes and therefore tax exempt.

An examination of the terms and conditions of a typical industrial development bond makes it clear that they are really corporate bonds. The party obligated to make payments of interest and principal called for by the bonds is the private corporation on whose behalf the bond was issued. In most cases these bonds are revenue bonds; that is, the only thing the governmental unit involved obligates itself to do is to act as a conduit: collecting money from the private corporation and paying it over to the bond buyers. In these cases the governmental unit assumes no obligation, direct or indirect, for payment of either principal or interest on the bonds. Even when so-called general obligation bonds are used the contracts make it clear that the governmental unit is merely a surety or guarantor of the private corporation's interest payment and that the corporation involved is the party primarily obligated to pay the interest and principal on the bonds. Whether the document obligating the corporation is called a lease, conditional sale contract, or loan seem irrelevant, the essential fact remains that it is the private corporation being benefited by the bonds that undertakes the primary obligation to provide for the payment of the bonds.

The Treasury Department, in reporting on the bill introduced last year, took note of my statement questioning the validity of their outstanding rulings.

They indicated that this question was "under study." The Treasury Department announced yesterday that proposed regulations would be coming out around March 15 holding that interest on these "corporate tax exempts" will no longer be considered exempt under existing law.

In view of the crisis these bonds have been causing in the municipal bond market the Treasury Department had an obligation to reverse its past position. I only wish that they had acted earlier so that States and local governments would not have had to bear the added cost in borrowing for their legitimate governmental purposes that were imposed by virtue of the existence of these corporate tax exempts in the market. Connecticut does not authorize industrial development bonds. However, I understand that the very existence of these bonds on the market increased the borrowing costs of Connecticut communities by an estimated one-fourth to one-half of 1 percent last year. This means that on the \$314 million in bonds issued last year for schools, sewers, and other governmental purposes Connecticut taxpayers became obligated to pay over the life of the bonds between \$12 to \$24 million in added interest merely because these "corporate tax exempts" were being issued. That means higher local taxes for Connecticut residents, so I am glad to see this much-needed tax reform.

The Securities and Exchange Commission, the Federal agency most experienced in dealing with corporate financial areas, shares my understanding of the true nature of these bonds. On February 1, 1968, the SEC announced a proposed regulation which would hold that these bonds are not entitled to the exemption from registration accorded municipal obligations and would thus require the private corporations involved in such bond issues to register their obligations with the SEC. The SEC explained:

An industrial development bond represents "(1) an obligation on the part of a government or its instrumentality to perform certain acts, usually to collect rental under

TABLE 50.—SOUTHERN RHODESIA

Product	Type of restriction
Nonagricultural quantitative restrictions: Many commodities of a luxury nature or if similarly produced in Southern Rhodesia.	Import licensing.

TABLE 51.—UPPER VOLTA

Product	Type of restriction
Nonagricultural quantitative restrictions: All imports.	Import and exchange licenses.
Valuation and taxes: All imports.	Standard tax, 25 percent. Temporary development tax, 10 percent. Statistical tax, 1 percent.
Health, sanitary, and safety restrictions: Medicaments.	Discriminatory classification.

TABLE 52.—ZAMBIA

Product	Type of restriction
Nonagricultural quantitative restrictions: Most goods.	Import licensing.

the lease and use it to discharge interest, sinking fund, and other monetary obligations contained in the instrument; and (2) an interest in the obligation of the private company to make payments under the lease in order to provide funds for payment by the governmental instrumentality in whose name the bond is issued of principal and interest on the bond."

The SEC's action and the Treasury's action are correct. These bonds simply are not State and local bonds; they are private corporate obligations that must be treated the same as other corporate obligations under both the securities law and the tax law.

While I thus applaud the action of these agencies I nevertheless feel that it would be appropriate to continue to press for legislation on this subject.

COPPER RIVALS GAIN

Mr. FANNIN. Mr. President, the 8-month copper strike, that is now the subject of discussion at the White House between management and union representatives, will have far-reaching consequences that I think both parties should be aware of.

Competitors in both production and market areas are not standing still in this long period of enforced idleness. Markets where once copper was king are now being supplanted. Perhaps these inroads will never be erased. If so, this will cause continued economic dislocation in my own State as well as in the other Western copper-producing States.

These market forces are going on in the interim that the dispute has created; and besides their long-term effect, the copper industry—and ultimately the copper consumer, the housewife, the home-buyer, the purchasers of air conditioners or motors—will be faced with higher prices resulting from higher wage costs forced by the strike.

One of the major producers says, in an article published in Chemical and Engineering News, that wage costs are likely to be increased by 11 percent if union demands are met.

Mr. President, this is almost double the settlements made in other industries and very much in excess of reported productivity gains. Thus, the net effect will certainly be inflationary and will undoubtedly make copper's position even more precarious in certain major markets.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STRIKE BRIGHTENS CHARMS OF COPPER'S RIVALS: ALUMINUM AND PLASTICS SEIZE CHANCE TO MAKE FURTHER INROADS IN COPPER MARKETS

As the copper strike marches toward the end of its eighth month, with intractable union confronting intransigent industry, competitive materials such as aluminum and plastics are viewing it as an opportunity to open up some potentially staggering tonnage markets. Specific examples of inroads that have already been made as a direct result of the strike can't be pinpointed; eight months don't make or break a market. But long-term pressures are at work as well as the strike. Aluminum and plastics producers tell C&EN they expect to see in the aftermath of the strike:

A gradual increase in penetration of substitutes into almost all major copper markets, with plastic pipe and aluminum wiring the big gainers.

Further diversification by copper tubing and cast iron fabricators into plastic pipe production facilities.

Heightened interest in their products on the part of potential customers.

At press time, the strike had provoked calls for the President to use the Taft-Hartley Act's provision for an 80-day cooling-off period by asking for a back-to-work injunction. Dockworkers were threatening to refuse to unload copper imports on Gulf and East Coast ports. And the Commerce Department had ordered a freeze on shipments of refined copper to all but defense contractors. The economic impact of the strike is felt in a worsening of the nation's balance of trade of about \$60 million a month, the loss of wages for about 50,000 workers idled by the strike, skyrocketing prices for copper, and a sharp drop in earnings in the last half of 1967 for the nation's copper mining and smelting companies.

But the strike's other drama, unfolding in the background, may be the permanent loss of copper markets. Predictions in this area are clouded because copper is still plentiful. As one bewildered observer puts it, "There is a seemingly inexhaustible supply." As long as copper is available, the strike is just an added problem to an industry whose reputation for stability in labor relations, supplies, and prices was already badly tarnished.

"The prolonged strike has certainly accelerated the replacement of copper by aluminum in electrical markets," points out William S. Ginn, vice president, electrical division, Reynolds Metals. Uniroyal's Rom Rhome, vice chairman of the ABS Council (a unit of the Society of the Plastics Industry), says that the strike has triggered five or six price increases in copper tubing since June with the result that what was only an "incentive" to substitute ABS for copper tubing in residential drainage systems has now become "a compelling necessity."

The electrical and electronic industry is the largest consumer of copper. Of the total of 7.1 billion pounds of copper and copper alloys consumed in the U.S. in 1966, electrical and electronic uses accounted for 1.9 billion pounds. Other major markets for copper and their 1966 uses of it are: building construction with 1.6 billion pounds, consumer and

general products with 1.5 billion pounds, industrial machinery equipment with 1.3 billion pounds, and transportation with 904 million pounds.

Aluminum companies have worked diligently to wrest business away from copper. Their present strategy is to encroach wherever possible on markets where copper's superior heat and electrical conductivity had made it heretofore secure. Success has almost been attained in some key automobile and electrical cable uses.

An immediate target for takeover by aluminum is the automobile battery cable. Battery jumper cables for garages are now being made from stranded and solid aluminum cable. Aluminum battery cables have a good chance to supplant copper in some 1969 production models.

The number of factory-installed air conditioners in automobiles has doubled every three years since 1958. Its weight advantage enabled aluminum to displace copper from this market even before the strike. Reynolds estimates that 35 million pounds of aluminum went to tubes and sheet in auto air conditioners in the 1967-68 model year and predicts that by 1970 this use will require about 55 million pounds of aluminum.

Aluminum producers also expect to capture the window and central air conditioner market for aluminum coils and sheet. These units now use about 20 pounds of copper for every \$100 worth of finished product and the high world copper price (61 cents a pound vs. 36 to 38 cents per pound before the strike) enhances Aluminum's chances. Within five years, 30 to 50% of all window air conditioning units and 50 to 75% of package or central installations will utilize aluminum tubing in both evaporator and condenser coils, according to Alcoa vice president James A. McGowan.

The aluminum automobile radiator is still some time in the future. Leaks on pilot production runs of aluminum units were an initial obstacle. An additional difficulty blocking acceptance of the aluminum radiator is the problem of garage repairs. Epoxy, other adhesives, and soldering techniques have been developed and primary producers say that problem has now been solved.

Alcoa estimates that the use of aluminum in all types of electrical cable should grow from 1.26 billion pounds in 1967 to 1.4 billion pounds this year, an 11% increase. Again, it is difficult to say how much of this increase can be attributed to the strike. Steel-reinforced aluminum cable and all-aluminum cable now have almost 100% of the overhead high-voltage transmission business. Aluminum firms are now concentrating on replacing copper in utility service lines to homes and industrial users.

Millions of miles of telephone cable are made of copper. The Bell System alone uses about 400 million pounds of copper annually. About half of it goes to produce exchange area telephone cable, which is used in relatively short runs. Western Electric Co. now produces about 100 billion feet of plastic-insulated copper wire annually.

Bell Labs and Western Electric Co., with support from American Telephone & Telegraph, began a development project in the spring of 1965 to find an alternate for copper in exchange area cable. Four field tests using aluminum cable have been started and the work so far indicates that aluminum may, "in the near future be useable as a partial replacement for copper. This could be vital if the supply of copper were reduced for an extended time, or if the price of copper should continue to rise," said F. W. Horn and W. E. Bleinberger in the November *Bell Laboratories Record*. The primary disadvantages of aluminum telephone cable are that it corrodes and loses strength when it is exposed to moisture under conditions that exclude air.

Drain, waste, and vent (DWV) piping is

another domain of copper that is vulnerable to attack from plastics. Copper first entered the DWV market in 1955. Shipments of copper tubing for DWV use reached a peak of 85 million pounds in 1965, dropping to about 55 million pounds in 1966 and even less last year. Plastic pipe producers reason that they can emulate copper's success by cracking the building codes of local, state, and federal agencies. Acrylonitrile-butadienestyrene (ABS) pipe is primarily used in DWV piping while polyvinyl chloride and polyethylene use centers on service lines where pressure is encountered. Rom Rhome of Uniroyal's chemical division says he expects piping use of ABS resin to increase 25%, from 28 million pounds in 1967 to 35 million pounds in 1968, as a result of a continued good rate of building code penetration and the copper strike. ABS drain, waste, and vent pipe is now acceptable in the plumbing regulations of 13 states. Local code approvals for ABS pipe have been secured in 376 communities in 33 states.

To gain the DWV market, plastics have to supplant both cast iron pipe and copper tubing. Cost is a big factor, but high copper prices won't necessarily translate into sales gains for plastic pipe because cast iron is readily available. For this reason, plastic pipe advocates such as Bob Rosel, marketing manager for the Yardley pipe and fitting division of Celanese Plastics Co., discount the effect of short-term price swings in copper tubing. "We have to obtain and hold markets on the merits of our products," he explains. The cost of copper tubing in residential drainage systems now stands at more than three times the cost of ABS. On a per-foot basis, 3-inch copper DWV tubing costs \$1.95 compared to 57 cents for the ABS pipe of comparable diameter.

The copper strike is bound to spur the diversification of copper and cast iron pipe and fitting producers into plastic pipe production facilities. The copper tubing and fitting industry is already represented in plastic DWV by Triangle Conduit & Cable, Nibco, Mueller Brass, and American Brass & Iron Foundry. National Distillers has a foot in both camps through its subsidiaries Bridgeport Brass and Evanite Plastic Co. The roster of cast iron companies now producing plastic DWV pipe includes U.S. Pipe & Foundry, James B. Clow & Sons, Glamorgan Pipe & Foundry and Charlotte Pipe and Foundry.

The move into plastic pipe by metal pipe producers is a big step for these firms because it marks a departure from the security of a high-investment, high-profit-margin business to an operation characterized by low investment, low margins, but stable prices and a continuous supply of raw materials.

Estimates of the dislocation caused by the strike must take into account the fact that copper is not critically short. Imports of refined metal have increased from the more normal \$18 million a month to about \$60 million a month. Increased scrap recovery, inventory liquidations, and sales from the U.S. stockpile over the past four years of apparent copper shortage have prevented a crisis from developing. The business slowdown in western Europe made it possible for U.S. consumers to buy copper contracts that European firms owned but no longer needed. Inventories of refined copper, which at mid-year stood at an all-time high of 290,000 tons, were 185,000 tons by year end, according to Commerce Department estimates.

ECONOMIC DEMANDS

One issue overshadows all others in the strike. It is the demand for companywide bargaining. About 80% of the 50,000 workers affected by the strike are represented by the United Steelworkers of America. Other unions have combined with the USW to form a single bargaining unit. The unions do not insist on a single master contract but do demand

common contract expiration dates with some common features relating to fringe benefits, pension rights, and similar economic increases common to all contracts. Nor are the unions asking for uniform wage scales for this year, although their long-range plans probably include this feature.

Frank R. Milliken, president of Kennecott Copper, says, "the unions' economic demands would raise our labor costs 11% a year, which is about double the percentage increase in settlements made in any other major industry, and far in excess of gains in labor productivity." He adds, "to accede to the unions' economic demands would impair our ability to remain competitive with low cost foreign producers and with other materials used as substitutes for copper."

Copper Range Co., which has acceded to union demands at its White Pine, Mich., mine, figures that increases in wages and benefits will total 96 cents an hour over the 42-month life of the contract, about \$13 million in increased labor costs.

REFINED COPPER IMPORTS CLIMBING EACH MONTH

[In thousands of short tons]

	Imports	
	1966	1967
January.....	12	20
February.....	10	20
March.....	13	13
April.....	10	21
May.....	13	19
June.....	7	23
July.....	10	18
August.....	7	18
September.....	9	27
October.....	18	45
November.....	28	58
December.....	24	61
Totals.....	161	343

1 C. & E.N. estimate.

Source: Bureau of Mines.

THE NATIONAL GRADUATE UNIVERSITY

Mr. MORSE, Mr. President, in these times of crisis in our cities, with air and water pollution, civil disobedience, and housing and transportation difficulties, special attention must be focused on the need for high-level training of leaders in the professions who will seek better solutions to these problems.

It is encouraging, therefore, to learn that an institution has been established to provide the special education and research required by modern society. I am referring to National Graduate University to be built on a beautiful 900-acre site in Potomac, Md., just 12 miles from this Chamber. An innovative curriculum is being developed for master's and doctorate degrees as well as postdoctorate education.

Colleges being planned at National Graduate University reflect the high degree of understanding and concern its leaders have for current and future needs of our country and the world. Most significantly, a graduate college of resources management is the first degree program to be inaugurated. Developmental planning, environmental science, and human services are three other colleges which will be producing the scientists and administrators so necessary in our model cities programs and in our efforts to enable the poverty stricken and low income to become economically independent and productive members of our Nation.

In addition to the colleges at National Graduate University, an international conference center is planned, with activities available for local, national, and international meetings of persons concerned with problems faced by peoples around the world. Such a center would become a focal point for educators, scientists, engineers, management specialists, diplomats, and many others in the public and private spheres. In its organizational procedures, types of facilities provided, and architecture, this center will be designed to carry out the philosophy of National Graduate University which is to make learning as well as achievement of understanding among people an efficient and pleasant process.

I congratulate Dr. Melville Bell Grosvenor, chairman of the board of governors of National Graduate University; Dr. Walter E. Boek, its president, and other board members; Mr. Mortimer B. Doyle, the Honorable Louise Gore, Tilford A. Jones, Esq., Mrs. John R. Johnston, and Mr. Frederick Krug for their foresight and devotion to public service in developing this institution which promises so much for the future of mankind.

HARVARD PROFESSOR JUST BACK FROM VIETNAM ASSESSES TET OFFENSIVE

Mr. HARTKE, Mr. President, visiting Washington last week was a scientifically trained American civilian just back from Vietnam whose return was delayed more than a week when he was caught as a bystander in the Vietcong Tet offensive. Dr. Everett I. Mendelsohn is associate professor of the history of science at Harvard University, whose well-known student publication, the Harvard Crimson, on Saturday, February 24, published a tape-recorded interview detailing his assessment of his Southeast Asia trip.

Dr. Mendelsohn, who went under Quaker auspices, includes in his remarks a conversation with a National Liberation Front high official in Phnom Penh, Cambodia; his visit to a civilian provincial hospital in Quang Ngai, where of more than 70 civilians in the burn ward he found that some 40 of them had burns traceable to napalm; conversations with civilian leaders not in the Government, including Tich Tri Quang and others who have been since arrested; and his conclusion that—

The government of President Thieu and Marshal Ky is very near collapse.

In a luncheon discussion with a number of congressional staff people he noted, in a comment not included in the Harvard Crimson, that his first knowledge of the assault came at 3 a.m., when he found himself on the floor of his hotel room, thrown out of bed by the concussion of a mortar round striking the building next door. He also observed the bombing of residential portions of the Saigon outskirts, talked with refugees both before and afterward, and found a growing frustration both with their own and with our Government which has caused the vast destruction which has made another 300,000 persons homeless in recent weeks.

Mr. President, I ask unanimous consent that the Harvard Crimson inter-

view with Professor Mendelsohn be printed in the RECORD.

There being no objection, the interview was ordered to be printed in the RECORD, as follows:

AN INTERVIEW WITH EVERETT I. MENDELSON: FRESH FROM A TRIP TO VIETNAM, PROFESSOR MENDELSON GIVES A GLOOMY ASSESSMENT OF THE WAR'S PROGRESS

(NOTE.—Everett I. Mendelsohn, associate professor of History of Science, recently returned from a Southeast Asian tour which took him to South Vietnam, Thailand and Cambodia.)

(Under the sponsorship of the American Friends Service Committee, a Quaker service organization, Mendelsohn visited Quaker projects and sought to assess the possibility of a peaceful solution to the Vietnamese conflict through conversations with Vietnamese civilians. In Cambodia he met with a high representative of the National Liberation Front.)

(His departure from South Vietnam was delayed ten days by the Viet Cong urban offensive.)

(Mendelsohn questions the rosy picture of military progress presented by the United States government, and says the Thieu-Ky regime may be nearing collapse.)

(He believes the Viet Cong offensive, and the unlimited character of our response to it, have limited the future options open to us in South Vietnam. He fears that we will face continued military setbacks until we either withdraw, or resort to nuclear weapons.)

(The following remarks are taken from an interview which Parker Donnam had with Professor Mendelsohn on Thursday, Feb. 22.)

Question. What effect did this trip have on your opinion of the war?

Answer. I expect the trip didn't radically change my views of the war, it did two other things though. One: it personalized them. I think it's hard even with the greatest imagination to recognize what happens to specific people in specific parts of a country, without seeing them. Seeing the war at first hand, meeting people who had been involved in it, people who have suffered from it, meeting people who have opposed it on the scene, gave me a series of new insights.

The other set of changes that I came away with, also had to do with getting some things at first hand. In Phnom Penh, Cambodia, I met with a high official of the National Liberation Front. He is a well educated man, not an unattractive man, obviously quite intelligent, I gather that he's on the Central Committee of the National Liberation Front.

Even having been an opponent of the war, but having read the U.S. press primarily, and in detail, it was hard to believe anything but that the enormous firepower and large scale military operations the U.S. was waging was indeed winning the war. Perhaps it could never really become militarily victorious. It seemed from everything I'd been able to read that we were winning military victories.

Mr. Y [we shall call him] had quite a different view. So far as I could tell, in all honesty, he believed that the National Liberation Front was winning. We pressed him on this in a number of ways. We asked him about the impact of the firepower on the Vietnamese and he said, yes when it comes to bombing a village or a town, the enormous firepower from the air takes its toll. Primarily, he pointed out, on civilians, and in person I was able to see this on the ground later on. He said, however, that when it comes to controlling the countryside, this can be done only by infantry troops with rifles going out and winning an area and then controlling it and keeping it. And he said that the enormous gains of the firepower were lost in this kind of combat. He pointed out that the rifle of the N.L.F. soldier was just as effective as the rifle of the American. Even more, he pointed out that the N.L.F. soldier generally knew the terrain he was

fighting in; it was friendly to him, whereas it was foreign to the American soldier.

He pointed out one other thing. He said the very history of the war suggests that the United States is not winning, indeed, might well be losing. He pointed out that the fighting takes place during the dry season, the winter months for us, November through April. For the rest of the year, he said everyone just sits tight and holds on to what they have and hopes not to be washed away by the flood.

He said in the winter of 1965-66, the first year of major escalation, the United States had some 200,000 ground troops in Vietnam. He said during that winter the U.S. attempted to launch offensive actions in all four areas, from the I Corps in the North down to the Delta. He said that they weren't really effective in too many of them, but they were on the offensive in all four.

The next year, the winter of 1966-67, during the dry season the U.S. had some 400,000 troops on the ground, yet was able to launch an offensive action in only the I Corps area. In the other three areas they were on the defensive, or holding tight. He said that in the winter of 1967-68, the United States forces with over 500,000 men on the ground, were unable to launch an offensive in any single of the four corps areas. Indeed, he said, to the contrary his own forces, stronger than they had been before, were able to be effective in all of the areas.

This, mind you, was two weeks before I got to Saigon, some two weeks before their attacks on all the cities.

Question. How serious is the refugee problem?

Answer. Vietnam has probably suffered most through its civilian population. At the moment it is estimated that something close to one quarter of the total population are refugees. This number has probably gone up in recent weeks, after the attacks. The problem of refugees is an enormous one because most of the refugees come from the farm. They are peasants who made their living by tilling the land. What they've done was to flee to the cities, where they live in squatters' villages surrounding the cities. Many of them in squalor, even the best of them providing nothing but a single room in a mud walled hut, the best perhaps with tin roofs. The others are in much worse shape. There is very little in the way of sanitary facilities, and there is no room whatsoever for these men to provide the livelihood the one way they know how, through raising the food which they would eat.

A visit to the refugee camps, and we visited them around Saigon, in Hue, most intensively in the city of Quang Ngai, a visit to these camps brought out one thing which I had not quite been prepared for. As you walked through the camp, looking around, smiling at people, greeting people, children run around your legs as children will anywhere in the world, having great fun. Even the women might smile back when you greet them. However, from the men, regardless what their age was, we got a very sullen stare in response.

In talking to the refugees, the answer was found very simply. They'd been driven from their homes, and they'd most often been driven out by airplanes which came and strafed and bombed their villages, and they'd fled to the cities. They'd lost their means of livelihood. In a sense they'd almost lost their manhood. Their indignation at the government of South Vietnam and at the Americans was very pointed and direct. They pointed the finger at us as having driven them from their land.

Question. How adequate were facilities for civilian wounded?

Answer. When we turn to the question of wounded, again the civilians seem to suffer most. This comes about really through the process that has made the refugees. Something close to two thirds of the land area

of South Vietnam is today declared a free fire zone. This means that anything in that area can be bombed, can be machine gunned, at the will of the spotters flying over in planes.

What was interesting to recognize, though, is that these free fire zones started just a few kilometers down the road from the major cities. The free fire zone outside Quang Ngai was just eight or ten kilometers from the city center. What this meant is that peasants working out in the field were regularly subjected to firing, to bombing, to harassment. All night long as we lay in our beds at Quang Ngai, we could hear the mortars and artillery and the helicopters raining down the terror on different parts of the countryside. And in the morning the results were quite clear. The litters carrying people in from the countryside with the gaping holes in their bodies, the wounded limbs, and the broken bones.

We visited the hospital at Quang Ngai and went through it in some detail with a doctor working with the Quaker unit. There was a standard medical ward which perhaps had an increase in the standard diseases of the area, malaria, diphtheria, cholera, plague had broken out in the region. And the other things that you are wont to find in this part of the world. But when we went beyond the medical ward into the severe injury ward, you saw the full horror of the war itself.

The hospital that we visited had first been built by the French, and it was a small hospital. During the last four years it has been enlarged to a hospital of some four hundred beds. In the week just prior to our visit the daily patient population of the hospital was over 750, meaning that there were two patients to many beds. The hospital itself, judged to be one of the best of the province hospitals in South Vietnam, had very little in the way of sanitary facilities. Walking through it, one had to take care to avoid stepping in human defecation. There were no screens in the windows, and open wounds were festering with maggots in them.

The most common operation carried out in South Vietnam today is amputation. The difficulty, however, is that the amputations are not always good. The sanitary facilities are not generally good enough and there is a lack of antiseptic procedures. What this means is that often a leg must be amputated two or three times before the amputation heals successfully.

There has been a lot of controversy as to whether napalm victims are to be found in Vietnam. As I recall, Dr. Howard Rusk, the New York Times medical correspondent found only six or seven in the whole of Vietnam. I often wonder, having visited the hospital at Quang Ngai, just where he had his eyes as he walked through this hospital. There were over seventy people in the burn ward at Quang Ngai when we visited there. Some forty of them had burns traceable to napalm.

The record was always the same in the hospital wards as to how these people were injured, whether the broken bones or the burns. In nine out of ten cases they were tending their animals, they were cultivating the fields, they were asleep in their huts, when things came from the air. Bombers or helicopters came over, losing rockets, machine guns, or bombs. They knew that the only people in the country who were using bombers and planes were their own government and the United States.

Every now and then, one in ten or so of the injuries as we looked over the hospital's records, were recorded as coming from ground fire. Here it is impossible to tell whether the ground fire was Viet Cong or that of the ARVN or American troops.

Question. Did you speak with civilians who oppose the war?

Answer. In talking to one group of South Vietnamese businessmen, lawyers, professionals, men who were parts of former gov-

ernments, we began asking them about how the prospect of reaching agreements with the National Liberation Front struck them. Was it possible? What might come from it? The response of one man was typical. He pointed out that the men of the National Liberation Front and in the government of North Vietnam were people he'd known. They were not just faceless opponents. These were men who had lived down the street from him when he was a young man. One of the leaders of the National Liberation Front had been to college with him in Paris. Another had been married to a distant cousin. Another had been in a law office of his. Some of these men he trusted; some of them he distrusted. Some of them he had liked; some of them he had disliked.

He said that there was some real reason to expect that a civilian government in South Vietnam, with the burden of a military war and leadership lifted from it, could well come to some sort of agreement with the National Liberation Front. I asked him and pressed him about what would happen after an agreement in the South. Unification, he felt, would ultimately come. After all Vietnam was one country; Vietnamese were fundamentally one people.

This man felt that what you would have is a socialization of the South and a liberalizing of the North. He felt there would be this interaction.

He was wealthy, he was a part of the mandarin, he was French educated, he was part of a former government, and yet for him this was a chance which he saw very well worth taking.

All right. If the cream of Vietnamese civilian leadership is willing to take this chance, if their major message—and he made it very clear that the message he wanted me and others to bring back to America was that the war had to be stopped and the U.S. had to get out and that Vietnam had to be turned back to civilian rule to work out their problems—if he's willing to take all these risks we should be willing to go with him.

They put it very bluntly. It's hard to know whether to believe them or not. They said they doubted that I would find a single major Vietnamese civilian individual who was not intimately tied to the current government, or enormously profiting from the war, who would not now be in favor of ending it. They said that nothing that any of them could conceive of happening in the future was worse than what was happening now under U.S. protection.

Question. Were the attacks a surprise?

Answer. I would say that they came as an absolute and complete surprise. The American military claim they knew about them. If they did know about them why they were thoroughly unprepared for them, and in a sense are culpable because of that. My guess is they really didn't know about them, or that they didn't believe the attacks could be as widespread, as well coordinated, as strong as they were. I mean I think the American military command in South Vietnam has suffered from what one newsman called an enormous dose of self-deceit. They had begun to believe their own statistics, which is terribly dangerous when the statistics are fundamentally in error. There was no sign that these attacks were expected. Americans were on leave all over the country. The South Vietnamese Army was spread out going home for Tet.

We drove down from Quang Ngai the day before Tet in a plane filled with men who had left the barracks in Quang Ngai going home to their families in Saigon. Well, if you are expecting a major attack within a day or two, you keep your army ready and you don't let them go home on leave. This just wasn't the case. The guard at the U.S. Embassy was lighter that night than it had been for months. The gate of the U.S. Embassy was standing open. You don't have all these things open if you expect an attack.

There was a lot of stew in the days just after the attack. General Westmoreland got on the Armed Forces Vietnam network to tell us all that this was the greatest defeat that the enemy had ever suffered. Ambassador Bunker got on to tell us that American forces and their gallant allies were having their greatest victory. They even had a brief dub-in from President Johnson in Washington telling us that this was a great defeat for the Viet Cong and a victory for America and South Vietnam. And that this was an act of last desperation on the part of the Viet Cong.

One of the reporters in Saigon was so appalled at all this deceit that in the middle of all this he filed a report to his newspaper with the lead, "The Viet Cong, in an act of desperation, today took over most of South Vietnam." This is about the way it looked to those of us who were there.

Question. What effect did the raids have?

Answer. It had several very dramatic effects.

It demonstrated to every Vietnamese citizen, that the government of South Vietnam and the enormous military power of the United States, were unable to provide them with the one thing which they thought they could get, security in the cities. Every major city in South Vietnam was breached. Every major city was invaded and attacked, sometimes by small groups, sometimes by much larger ones. If you want to undercut the authority of the government, if you want to undercut confidence in it, this was done with real ferocity.

We know that the pacification program is now over. The villages have been lost completely. There's another set of secondary effects which have come which I think are perhaps of even longer range importance. And this was the inability of both the United States and the South Vietnamese to cope with the attacks. We watched the government of South Vietnam and the American military call in air strikes against their own cities and their own civilians. We watched the whole Eastern industrial suburbs of Saigon, Gia Dinh, burned out, sector after sector, for five days running. And the thousands—hundreds of thousands of refugees pouring out of the area. We watched the whole of the area just south of the Ton Son Nhut Airport being burned out segment after segment for four and five days running. When we left they were still bombing out sections of the Pho To around the race track. Read for that the area around Penway Park and the density of the population around it.

And we watched them burning out sections of Cholon, the Chinese section of the city, which to this day still has fighting going on in it. There are parts of it still being burned out. What you did was to create hundreds of thousands of new refugees. And the indignation here against a government calling air strikes on its own residential sections, its own cities and its own population, is something which the Vietnamese had emblazoned in their minds as they fled from their homes, many of them being killed, many others being wounded.

We visited a couple of the refugee camps in the days just after the initial fighting and the indignation was very high. They pointed the finger directly at the United States and the government of South Vietnam.

Question. Were civilians given any warning prior to these counter attacks?

Answer. In some places a loudspeaker would come over in a helicopter or sometimes they came up to a segment of a city and broadcast over bull horns that people were to leave their homes immediately because they were bombing an area. In other sectors no warning was given. Sometimes you had as much as a couple of hours; sometimes you had no warning whatsoever. Anything which

ran out of these areas of course was shot as being a suspected Viet Cong.

Question. How badly was Saigon disrupted?

Answer. There was this marvelous juxtaposition. The Armed Forces Vietnam Network, which has a news broadcast for five minutes every hour on the hour, would come on first with this bland statement by General Westmoreland about the victory we are winning and how Saigon has now been completely retaken and that there are just pockets of resistance left. And that would be followed at the end of the news by an important announcement to all American personnel: All American personnel are required to stay in their billets until further notice. There is a 24-hour curfew for all American personnel. Do not leave your billets except under armed escort.

Nine days after this, when I left, American personnel were only getting to work part of the day and were having to go in armed convoys. And half of the offices hadn't reopened yet. This huge war machine—you've got no idea how big it is until you see it—this huge war effort of civilian and military personnel in Saigon had ground to a halt for over a week.

Question. Was the kill ratio in these battles as great as the U.S. forces have claimed?

Answer. Most of the newsmen I talked to just laughed. The body count is given primarily by the South Vietnamese. If you compare the number of bodies supposedly counted to the number of weapons captured, the ratio was five, six, and even seven to one. The reporters told me to look at that figure because they said weapons are a good indication of how many soldiers you have killed.

There's little doubt that the Viet Cong did lose men in this attack. I saw dozens of Viet Cong dead in the city. The figures they were giving, however, I think were absolutely ludicrous, believed by no one on the scene.

Question. What is the significance of the arrests in South Vietnam in the last few days?

Answer. At the moment I know of four men who've been arrested although the teletype tells us that there probably have been upwards of thirty-five arrests. Among these four, we met and talked with two of them. Thich Tri Quang, the militant Buddhist leader, perhaps one of the most important of the Buddhist leaders in South Vietnam, has been arrested. We saw him just before the attacks; we saw one of his colleagues, Thich Tinh Minh, just after the attacks.

During the attacks themselves the South Vietnamese government announced that An Quang pagoda where Thich Tri Quang had been living just on the outskirts of Cholon was being used as a command post by the V.C. Thich Tinh Minh said it's absolutely absurd.

He said that what was happening was that the Thieu government was using this as an occasion to take revenge and create harassment for the Buddhists against whom they feel they have many scores to settle.

He said the An Quang pagoda was probably the place under greatest surveillance by the police, since they distrust it so. He said the Viet Cong would have been idiots to try to come near the place, and probably stayed very clear of it if they were going to try to get into the city secretly.

Thich Tri Quang, probably the single most influential Buddhist in the country and a major opponent of the current government is now jailed.

The two runners-up in the presidential campaign against Thieu, including the man who received the greatest number of votes in Saigon itself, Truong Dinh Do, have been arrested. As has the man who was behind him in the number of votes he received, Pham Khue Suu.

The fourth man who has been arrested, Au Truong Thanh, a former finance minis-

ter in the government of Premier Diem, a former finance minister again in the civilian government of Dr. Quaht, probably the single most respected non-government civilian leader in the country, a man who was barred from running for the presidency probably because of the fear that he would have been elected.

What seems to be happening is what Professor Galbraith predicted. The government of President Thieu and Marshal Ky is very near collapse. What they are doing is rounding up and threatening all the possible forces who can oppose them. They're making sure if they can that there will be no possible civilian government to follow them.

Now the embassy supposedly, according to the papers, has shown some disturbance. But let's be absolutely blunt and clear. The American forces in Vietnam can do what they want to do. And when they're interested enough in getting something done they get it done. If these men remain in prison or are shot, it's with the complicity of American forces.

Question. What is the outlook now in South Vietnam?

Answer. A few weeks ago I would have said there was real hope that a civilian leadership could be brought into power and could reach a *modus operandi* with the National Liberation Front; that they could set up administrative procedures whereby the country could be shared until such time as a full South Vietnam government could be elected.

In light of the recent attacks and in light of the severity and the inhumanity of the response of the South Vietnamese government and the United States—of calling in bombing attacks on their own cities and their own civilian population—in light of this, I'm not sure it is any longer a viable solution.

Perhaps the Viet Cong spokesman in Cambodia was right and the U.S. must be handed a stunning military defeat. Then I become terribly frightened as to what our response will be. Here is where the people in Saigon began wondering: If Khe Sanh falls, if another city or two is badly struck, if there are civilian uprisings—which I would not be surprised to see in the next few months because of what we are doing to defend the cities now—if this did happen, what would the response of the United States be? If Thieu and Ky fall, as Professor Galbraith suggests, what can we do?

I'm terribly afraid, as some of our Vietnamese friends over there were afraid, that we'll resort to even the greater fire power that we have. We'll lay rubble to everything, including perhaps using nuclear weapons. It's in this context that people get very worried. They have no confidence at all in restraint on the part of the United States.

We could be driven out by a Viet Cong victory, and I'm not sure that America would ever face that without going to all-out nuclear war. The only other thing you can hope for is that somehow the present American government is brought down, and that a government be brought into power which will arrange for America's withdrawal.

At this stage the one real answer is for the United States to recognize that the war it has tried to fight has been lost. It is neither winning militarily nor is it coming anywhere close to winning the hearts and minds of the people of Vietnam. Facing this, America has to be tough enough to withdraw from Vietnam as speedily as possible, leaving behind the civilian population of that country to work out their own destiny.

SPENDING CUTS

Mr. PERCY. Mr. President, with the deepening of the fiscal crisis of the Na-

tion, an increasing number of Members of Congress have become concerned with the levels of spending forecast by the President's budget. I would not say there is a general optimism that Congress will prove sufficiently resourceful as to avoid another huge deficit this year. But I note with some encouragement the increasing willingness of Members of the Senate and the House, in advocating cuts in the budget and adjustment of priorities, to make specific proposals for cuts that they feel are warranted. This represents a healthy trend toward a meaningful dialog on spending reductions; each set of recommendations, in my view, should encourage all of us to evaluate similar programs of our own.

Yesterday, an able and distinguished group of Members of the House of Representatives announced a program of budget cuts netting reductions of \$4 billion and a set of reorganized priorities that would create a \$2.5 billion human renewal fund for fiscal year 1969. I found it a thought-provoking proposal, with much to recommend it. It merits the attention of all Members of Congress who seek responsibly to reduce expenditures. I ask unanimous consent that the statement of this program, together with tables of deferrals and allocations, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

Joint statement of Representative Charles E. Goodell (R., N.Y. and member of House Republican Leadership) and Representatives W. E. (Bill) Brock (R., Tenn.), Albert H. Quile (R., Minn.), Howard W. Robison (R., N.Y.), Donald Rumsfeld (R., Ill.), William O. Cowger (R., Ky.), George Bush (R., Tex.), William A. Steiger (R., Wis.), William H. Ayres (R., O.), Alphonzo Bell (R., Cal.), Edward G. Blester Jr. (R., Pa.), Benjamin B. Blackburn (R., Ga.), Clarence J. Brown, Jr. (R., O.), Garry Brown (R., Mich.), James C. Cleveland (R., N.H.), Barber B. Conable, Jr. (R., N.Y.), Robert J. Corbett (R., Pa.), John R. Dellenback (R., Ore.), Robert V. Denney (R., Neb.), John N. Erlenborn (R., Ill.), Marvin L. Esch (R., Mich.), Paul Findley (R., Ill.), James C. Gardner (R., N.C.), James R. Grover, Jr. (R., N.Y.), Gilbert Gude (R., Md.), James Harvey (R., Mich.), Edward Hutchinson (R., Mich.), Hastings Keith (R., Mass.), Dan Kuykendall (R., Tenn.), Robert McClory (R., Ill.), Jack H. McDonald (R., Mich.), Clark MacGregor (R., Minn.), Charles McC. Mathias, Jr. (R., Md.), Thomas J. Meskill (R., Conn.), Robert H. Michel (R., Ill.), Rogers C. B. Morton (R., Md.), Charles A. Mosher (R., O.), Donald W. Riegle, Jr. (R., Mich.), William V. Roth (R., Del.), Herman T. Schneebeli (R., Pa.), Fred Schwengel (R., Ia.), J. William Stanton (R., O.), Burt L. Talcott (R., Cal.), Fletcher Thompson (R., Ga.), Guy Vander Jagt (R., Mich.), Charles W. Whalen Jr. (R., O.), William B. Widnall (R., N.J.), Roger H. Zion (R., Ind.):

"We urge immediate creation of a \$2.5 Billion Human Renewal Fund for fiscal year 1969 to meet urgent human needs and the urban crisis in our nation. Creation of the fund would be coupled with a \$6.5 Billion cutback in Federal expenditures in line with necessary wartime priorities.

"By firmly cutting \$6.5 Billion from the President's budget, we can responsibly plow back \$2.5 Billion into urgent human needs.

"This Administration has consistently refused to exercise the political integrity required to establish positive national spending priorities. Bowing to political pressures of the moment, it has allowed its attention

to drift from our most pressing human and urban needs. Congress cannot allow this drift to continue. We propose a new set of priorities, one which recognizes the enormous financial and economic difficulties facing us, but one which also recognizes the terrible human waste which is resulting from past and current inattention.

"\$500 Million would be allocated to mobilize private industry to provide meaningful jobs and training for the hard core unemployed and underemployed. To provide jobs with dignity, we urge immediate enactment of the Republican Human Investment Act and full funding of realistic manpower training programs. The Riot Commission recently endorsed this Republican initiative that we've urged for years. Our proposal also doubles the money for vocational education and technical training.

"Upon the same assumptions used in the President's budget, an additional \$250 Million of expenditures for housing in fiscal year 1969 would expand the successful Republican rent certificates program, fully fund the Percy-Widnall approach to stimulate private enterprise construction and expand the low income construction and rehabilitation incentive programs to produce an estimated total of 325,000 housing units.

"We would allocate \$250 Million more for air and water pollution control, and would double the money available to cope with the causes, prevention and control of crime.

"The rural problem of today is the urban problem of tomorrow. \$100 Million would be provided for a model tax credit approach to induce industry to expand in rural areas. Rural revitalization and growth must go hand in hand with programs to meet the human needs of the cities.

"It is long overdue for the Federal Government to demonstrate in its own front yard how to cope with pressing urban problems. The District of Columbia, as our nation's capital, is of concern to all the people of the country. We propose an additional \$50 Million Federal expenditure so that Washington, D.C., can become a model for the nation's cities.

"We propose deferrals totaling more than \$6.5 Billion in public works, public buildings, nonmilitary research, highway beautification, supersonic transport and other low priority programs such as government public relations. A limitation of agriculture subsidies to a maximum of \$10,000 per farmer is long overdue. Until the Foreign Aid Program is reorganized, we propose no increase above present levels of expenditure, Congress itself must economize by deferring major construction and new facilities on Capitol Hill.

"A cut-back of military personnel in Europe of about 200,000 leaves an ample force to maintain our treaty commitments in Europe. The President's request for 45,000 additional civilian personnel should be denied. We propose an average 3% reduction in civilian government employment, well below the normal annual attrition rate, so that no employees would lose their jobs involuntarily. Federal civilian employment has increased by 561,000 in the past seven years.

"Specific allocations outlined in the Human Renewal Action Program total \$1.5 Billion leaving an additional \$1 Billion to spend in other critical areas. Our proposal has been referred to the Republican Urban Affairs Task Force to seek the advice of America's foremost urban experts. The Task Force will conduct extensive hearings to determine the true priorities.

"Federal tax money alone will not solve these domestic problems. We must avoid promising any of our people an instant tomorrow that is impossible of attainment. It is imperative that we put first things first. While we are spending \$30 Billion a year on Viet Nam, desirable but low priority programs must be deferred. Only tough priorities will meet long neglected critical needs of our people."

Immediate budget deferrals

1. 60% Reduction of Military Personnel in Europe.....	\$2,080,000,000
2. Supersonic Transport (except R & D).....	222,000,000
3. Defense Supported Arms Sales Abroad.....	200,000,000
4. Civilian Space Program.....	400,000,000
5. Highway Beautification.....	85,000,000
6. Longworth House Office Building Renovation.....	6,058,000
7. Madison Library.....	2,500,000
8. Government Printing Office Building (Site Acquisition & Design).....	2,500,000
9. U.S.D.A. — \$10,000 Maximum Subsidy Limit Per Farm.....	410,000,000
10. Freeze on Moderate to High Income Apartment Program.....	400,000,000
11. Foreign Aid.....	700,000,000
12. Forest Roads Construction (50% New).....	45,790,000
13. Arts and Humanities Foundation.....	9,800,000
14. Public Buildings (Site Acquisition and Planning).....	5,497,000
15. Public Information.....	100,000,000
16. Post Office Buildings (50% Unobligated NOA).....	26,121,000
17. Freeze on Government Civilian Employment at 97%.....	961,000,000
18. National Science Foundation.....	250,000,000
19. Forest Highways (50% New Construction).....	15,000,000
20. Earth Description and Mapping (50% NOA).....	6,750,000
21. President's Contingency Reserve (1968 Level).....	400,000,000
22. Public Works (20% Stretch-Out).....	200,000,000
23. Appalachia (1968 Level).....	86,900,000
Total.....	6,614,916,500

Program allocations

[Amounts in millions]

Categories:	Amounts
1. Jobs:	
Human Investment.....	\$300
Job Opportunity Board.....	25
Equal Employment Opportunity Commission.....	2
Manpower Development & Training Act.....	103
Industry Youth Corps.....	70
	500
2. Education:	
Vocational Education and Technical Education for the future.....	250
3. Housing:	
Rent Certificates.....	50
*Low Income Construction Incentive Program (revolving).....	100
*Rehabilitation Incentive (revolving).....	100
	250
4. Pollution:	
Air and Water Pollution Control.....	250
5. Crime:	
Causes, Prevention and Control.....	100
6. Rural revitalization:	
Rural Growth—Tax Credit.....	100
7. District of Columbia.....	50
* Including Percy-Widnall Program.	

ORDER FOR ADJOURNMENT TO 10 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business

today, it stand in adjournment until 10 a.m. tomorrow.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

INTERFERENCE WITH CIVIL RIGHTS

(In accordance with the order entered March 4, 1968 (CONGRESSIONAL RECORD, p. 4988), the Dirksen substitute, as amended thus far, is printed herewith.)

TITLE I—INTERFERENCE WITH FEDERALLY PROTECTED ACTIVITIES

SEC. 101. That chapter 13, civil rights, title 18, United States Code, is amended by inserting immediately at the end thereof the following new section, to read as follows:

"§ 245. Federally protected activities

"(a) (1) Nothing in this section shall be construed as indicating an intent on the part of Congress to prevent any State, any possession or Commonwealth of the United States, or the District of Columbia, from exercising jurisdiction over any offense over which it would have jurisdiction in the absence of this section, nor shall anything in this section be construed as depriving State and local law enforcement authorities of responsibility for prosecuting acts that may be violations of this section and that are violations of State and local law. No prosecution of any offense described in this section shall be undertaken by the United States except upon the certification in writing of the Attorney General or the Deputy Attorney General that in his judgment a prosecution by the United States is in the public interest and necessary to secure substantial justice, which function of certification may not be delegated.

"(2) Nothing in this subsection shall be construed to limit the authority of Federal officers, or a Federal grand jury, to investigate possible violations of this section.

"(b) Whoever, whether or not acting under color of law, by force or threat of force willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with,

"(1) any person because he is or has been, or in order to intimidate such person or any other person or any class of persons from—

"(A) voting or qualifying to vote, qualifying or campaigning as a candidate for elective office, or qualifying or acting as a poll watcher, or any legally authorized election official, in any primary, special, or general election;

"(B) participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United States;

"(C) applying for or enjoying employment, or any perkquisite thereof, by any agency of the United States;

"(D) serving, or attending upon any court in connection with possible service, as a grant or petit juror in any court of the United States;

"(E) participating in or enjoying the benefits of any program or activity receiving Federal financial assistance; or

"(2) any person because of his race, color, religion or national origin and because he is or has been—

"(A) enrolling in or attending any public school or public college;

"(B) participating in or enjoying any benefit, service, privilege, program, facility or activity provided or administered by any State or subdivision thereof;

"(C) applying for or enjoying employment, or any perkquisite thereof, by any private employer or any agency of any State or subdivision thereof, or joining or using the services or advantages of any labor organization, hiring hall, or employment agency;

"(D) serving, or attending upon any court

of any State in connection with possible service, as a grand or petit juror;

"(E) traveling in or using any facility of interstate commerce, or using any vehicle, terminal, or facility of any common carrier by motor, rail, water, or air;

"(F) enjoying the goods, services, facilities, privileges, advantages, or accommodations of any inn, hotel, motel, or other establishment which provides lodging to transient guests, or of any restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility which serves the public and which is principally engaged in selling food or beverages for consumption on the premises, or of any gasoline station, or of any motion picture house, theater, concert hall, sports arena, stadium, or any other place of exhibition or entertainment which serves the public, or of any other establishment which serves the public and (i) which is located within the premises of any of the aforesaid establishments or within the premises of which is physically located any of the aforesaid establishments, and (ii) which holds itself out as serving patrons of such establishments; or

"(3) during or incident to a riot or civil disorder, any person engaged in a business in commerce or affecting commerce, including, but not limited to, any person engaged in a business which sells or offers for sale to interstate travelers a substantial portion of the articles, commodities, or services which it sells or where a substantial portion of the articles or commodities which it sells or offers for sale have moved in commerce; or

"(4) any person because he is or has been, or in order to intimidate such person or any other person or any class of persons from—

"(A) participating, without discrimination on account of race, color, religion or national origin, in any of the benefits or activities described in subparagraphs (1) (A) through (1) (E) or subparagraphs (2) (A) through (2) (F); or

"(B) affording another person or class of persons opportunity or protection to so participate; or

"(5) any citizen because he is or has been, or in order to discourage such citizen or any other citizen from lawfully aiding or encouraging other persons to participate, without discrimination on account of race, color, religion or national origin, in any of the benefits or activities described in subparagraphs (1) (A) through (1) (E) or subparagraphs (2) (A) through (2) (F), or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to so participate—

shall be fined not more than \$1,000, or imprisoned not more than one year, or both; and if bodily injury results shall be fined not more than \$10,000, or imprisoned not more than ten years, or both; and if death results shall be subject to imprisonment for any term of years or for life. As used in this section, the term 'participating lawfully in speech or peaceful assembly' shall not mean the aiding, abetting, or inciting of other persons to riot or to commit any act of physical violence upon any individual or against any real or personal property in furtherance of a riot. Nothing in subparagraph (2) (F) or (3) (A) of this subsection shall apply to the proprietor of any establishment which provides lodging to transient guests, or to any employee acting on behalf of such proprietor, with respect to the enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of such establishment if such establishment is located within a building which contains not more than five rooms for rent or hire and which is actually occupied by the proprietor as his residence.

"(d) Nothing in this section shall be construed so as to deter any law enforcement officer from lawfully carrying out the duties of his office; and no law enforcement officer shall be considered to be in violation of this

section for lawfully carrying out the duties of his office or lawfully enforcing ordinances and laws of the United States, the District of Columbia, any of the several States, or any political subdivision of a State. For purposes of the preceding sentence, the term 'law enforcement officer' means any officer of the United States, the District of Columbia, a State, or political subdivision of a State, who is empowered by law to conduct investigations of, or make arrests because of, offenses against the United States, the District of Columbia, a State, or a political subdivision of a State."

(c) Nothing contained in this section shall apply to or affect activities under title II of this Act.

(d) The provisions of this section shall not apply to acts or omissions on the part of law enforcement officers, members of the National Guard, as defined in section 101(9) of title 10, United States Code, members of the organized militia of any State or the District of Columbia, not covered by such section 101(9), or members of the Armed Forces of the United States, who are engaged in suppressing a riot or civil disturbance or restoring law and order during a riot or civil disturbance.

SEC. 102. The analysis of chapter 13 of title 18 of the United States Code is amended by adding at the end thereof the following:

"245. Federally protected activities."

SEC. 103. (a) Section 241 of title 18, United States Code, is amended by striking out the final paragraph thereof and substituting the following:

"They shall be fined not more than \$10,000 or imprisoned not more than ten years, or both; and if death results, they shall be subject to imprisonment for any term of years or for life."

(b) Section 242 of title 18, United States Code, is amended by striking out the period at the end thereof and adding the following: "; and if death results shall be subject to imprisonment for any term of years or for life."

(c) Subsections (a) and (c) of section 12 of the Voting Rights Act of 1965 (79 Stat. 443, 444) are amended by striking out the words "or (b)" following the words "11(a)".

SEC. 104. (a) Title 18 of the United States Code is amended by inserting, immediately after chapter 101 thereof, the following new chapter:

"CHAPTER 102.—RIOTS

"Sec.

"2101. Riots.

"2102. Definitions.

"§ 2101. Riots

"(a) (1) Whoever travels in interstate or foreign commerce or uses any facility of interstate or foreign commerce, including, but not limited to, the mail, telegraph, telephone, radio, or television, with intent—

"(A) to incite a riot; or

"(B) to organize, promote, encourage, participate in, or carry on a riot; or

"(C) to commit any act of violence in furtherance of a riot; or

"(D) to aid or abet any person in inciting or participating in or carrying on a riot or committing any act of violence in furtherance of a riot;

and who either during the course of any such travel or use or thereafter performs or attempts to perform any other overt act for any purpose specified in subparagraph (A), (B), (C), or (D) of this paragraph;

"Shall be fined not more than \$10,000, or imprisoned not more than five years, or both.

"(b) In any prosecution under this section, proof that a defendant engaged or attempted to engage in one or more of the overt acts described in subparagraph (A), (B), (C), or (D) of paragraph (1) of subsection (a) and (1) has traveled in interstate or foreign commerce, or (2) has use of or used any facility of interstate or foreign commerce; including but not limited to, mail, telegraph,

telephone, radio, or television, to communicate with or broadcast to any person or group of persons prior to such overt acts, such travel or use shall be admissible proof to establish that such defendant traveled in or used such facility of interstate or foreign commerce.

"(c) A judgment of conviction or acquittal on the merits under the laws of any State shall be a bar to any prosecution hereunder for the same act or acts.

"(d) Whenever, in the opinion of the Attorney General or of the appropriate officer of the Department of Justice charged by law or under the instructions of the Attorney General with authority to act, any person shall have violated this chapter, the Department shall proceed as speedily as possible with a prosecution of such person hereunder and with any appeal which may lie from any decision adverse to the Government resulting from such prosecution; or in the alternative shall report in writing, to the respective Houses of the Congress, the Department's reason for not so proceeding.

"(e) Nothing contained in this section shall be construed to make it unlawful for any person to travel in, or use any facility of, interstate or foreign commerce for the purpose of pursuing the legitimate objectives of organized labor, through orderly and lawful means.

"(f) Nothing in this section shall be construed as indicating an intent on the part of Congress to prevent any State, any possession or Commonwealth of the United States, or the District of Columbia, from exercising jurisdiction over any offense over which it would have jurisdiction in the absence of this section; nor shall anything in this section be construed as depriving State and local law enforcement authorities of responsibility for prosecuting acts that may be violations of this section and that are violations of State and local law.

"§ 2102. Definitions

"(a) As used in this chapter, the term 'riot' means a public disturbance involving (1) an act or acts of violence by one or more persons part of an assemblage of three or more persons, which act or acts shall constitute a clear and present danger of, or shall result in, damage or injury to the property of any other person or to the person of any other individual or (2) a threat or threats of the commission of an act or acts of violence by one or more persons part of an assemblage of three or more persons having, individually or collectively, the ability of immediate execution of such threat or threats, where the performance of the threatened act or acts of violence would constitute a clear and present danger of, or would result in, damage or injury to the property of any other person or to the person of any other individual.

"(b) As used in this chapter, the term 'to incite a riot', or 'to organize, promote, encourage, participate in, or carry on a riot', includes, but is not limited to, urging or instigating other persons to riot, but shall not be deemed to mean the mere oral or written (1) advocacy of ideas or (2) expression of belief, not involving advocacy of any act or acts of violence or assertion of the rightness of, or the right to commit, any such act or acts."

(b) The table of contents to "PART I.—CRIMES" of title 18, United States Code, is amended by inserting after the following chapter reference:

"101. Records and reports..... 2071"
a new chapter reference as follows:

"102. Riots..... 2101".

TITLE II—FAIR HOUSING POLICY

SEC. 201. It is the policy of the United States to provide, within constitutional limitations, for fair housing throughout the United States.

DEFINITIONS

SEC. 202. As used in this title—

(a) "Secretary" means the Secretary of Housing and Urban Development.

(b) "Dwelling" means any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure, or portion thereof.

(c) "Family" includes a single individual.

(d) "Person" includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers, and fiduciaries.

(e) "To rent" includes to lease, to sublease, to let and otherwise to grant for a consideration the right to occupy premises not owned by the occupant.

(f) "Discriminatory housing practice" means an act that is unlawful under section 204, 205, or 206.

(g) "State" means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, or any of the territories and possessions of the United States.

EFFECTIVE DATES OF CERTAIN PROHIBITIONS

SEC. 203. (a) Subject to the provisions of subsection (b) and section 207, the prohibitions against discrimination in the sale or rental of housing set forth in section 204 shall apply:

(1) Upon enactment of this title, to—

(A) dwellings owned or operated by the Federal Government;

(B) dwellings provided in whole or in part with the aid of loans, advances, grants, or contributions made by the Federal Government, under agreements entered into after November 20, 1962, unless payment due thereon has been made in full prior to the date of enactment of this title;

(C) dwellings provided in whole or in part by loans insured, guaranteed, or otherwise secured by the credit of the Federal Government, under agreements entered into after November 20, 1962, unless payment thereon has been made in full prior to the date of enactment of this title: Provided, That nothing contained in subsection (B) and (C) of this subparagraph shall be applicable to dwellings solely by virtue of the fact that they are subject to mortgages held by an FDIC or FSLIC institution; and

(D) dwellings provided by the development or the redevelopment of real property purchased, rented, or otherwise obtained from a State or local public agency receiving Federal financial assistance for slum clearance or urban renewal with respect to such real property under loan or grant contracts entered into after November 20, 1962.

(2) After December 31, 1968, to all dwellings covered by paragraph (1) and to all other dwellings except as exempted by subsection (b).

(b) Nothing in section 204 (other than paragraph (c)) shall apply to—

(1) any single-family house sold or rented by an owner: *Provided*, That such private individual owner does not own more than three such single-family houses at any one time: *Provided further*, That in the case of the sale of any such single-family house by a private individual owner not residing in such house at the time of such sale or who was not the most recent resident of such house prior to such sale, the exemption granted by this subsection shall apply only with respect to one such sale within any twenty-four month period: *Provided further*, That such bona fide private individual owner does not own any interest in, nor is there owned or reserved on his behalf, under any express or voluntary agreement, title to or

any right to all or a portion of the proceeds from the sale or rental of, more than three such single-family houses at any one time: *Provided further*, That after December 31, 1969, the sale or rental of any such single-family house shall be excepted from the application of this title only if such house is sold or rented (A) without the use in any manner of the sales or rental facilities or the sales or rental services of any real estate broker, agent, or salesman, or of such facilities or services of any person in the business of selling or renting dwellings, or of any employee or agent of any such broker, agent, salesman, or person and (B) without the publication, posting or mailing, after notice, of any advertisement or written notice in violation of section 204(c) of this title; but nothing in this proviso shall prohibit the use of attorneys, escrow agents, abstractors, title companies, and other such professional assistance as necessary to perfect or transfer the title, or

(2) rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his residence.

(c) For the purposes of subsection (b), a person shall be deemed to be in the business of selling or renting dwellings if—

(1) he has, within the preceding twelve months, participated as principal in three or more transactions involving the sale or rental of any dwelling or any interest therein, or

(2) he has, within the preceding twelve months, participated as agent, other than in the sale of his own personal residence in providing sales or rental facilities or sales or rental services in two or more transactions involving the sale or rental of any dwelling or any interest therein, or

(3) he is the owner of any dwelling designed or intended for occupancy by, or occupied by, five or more families.

DISCRIMINATION IN THE SALE OR RENTAL OF HOUSING

SEC. 204. As made applicable by section 203 and except as exempted by sections 203(b) and 207, it shall be unlawful—

(a) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, or national origin.

(b) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, or national origin.

(c) To make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, or national origin, or an intention to make any such preference, limitation, or discrimination.

(d) To represent to any person because of race, color, religion, or national origin that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.

(e) For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, or national origin.

DISCRIMINATION IN THE FINANCING OF HOUSING

SEC. 205. After December 31, 1968, it shall be unlawful for any bank, building and loan association, insurance company or other corporation, association, firm or enterprise whose business consists in whole or in part in the making of commercial real estate

loans, to deny a loan or other financial assistance to a person applying therefor for the purpose of purchasing, constructing, improving, repairing, or maintaining a dwelling, or to discriminate against him in the fixing of the amount, interest rate, duration, or other terms or conditions of such loan or other financial assistance, because of the race, color, religion, or national origin of such person or of any person associated with him in connection with such loan or other financial assistance or the purposes of such loan or other financial assistance, or of the present or prospective owners, lessees, tenants, or occupants of the dwelling or dwellings in relation to which such loan or other financial assistance is to be made or given, provided that nothing contained in this section shall impair the scope or effectiveness of the exception contained in section 203(b).

DISCRIMINATION IN THE PROVISION OF BROKERAGE SERVICES

SEC. 206. After December 31, 1968, it shall be unlawful to deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against him in the terms or conditions of such access, membership, or participation, on account of race, color, religion, or national origin.

EXEMPTION

SEC. 207. Nothing in this title shall prohibit a religious organization, association, or society, or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association, or society, from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color, or national origin. Nor shall anything in this title prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodgings to its members or from giving preference to its members.

ADMINISTRATION

SEC. 208. (a) The authority and responsibility for administering this Act shall be in the Secretary of Housing and Urban Development.

(b) The Department of Housing and Urban Development shall be provided an additional Assistant Secretary. The Department of Housing and Urban Development Act (Public Law 89-174, 79 Stat. 667) is hereby amended by—

(1) striking the word "four," in section 4(a) of said Act (79 Stat. 668; 5 U.S.C. 624b (a)) and substituting therefor "five,"; and

(2) striking the word "six," in section 7 of said Act (79 Stat. 669; 5 U.S.C. 624(c)) and substituting therefor "seven."

(c) The Secretary may delegate any of his functions, duties, and powers to employees of the Department of Housing and Urban Development or to boards of such employees, including functions, duties, and powers with respect to investigating, conciliating, hearing, determining, ordering, certifying, reporting, or otherwise acting as to any work, business, or matter under this title. The persons to whom such delegations are made with respect to hearing functions, duties, and powers shall be appointed and shall serve in the Department of Housing and Urban Development in compliance with sections 3105, 3344, 5362, and 7521 of title 5 of the United States Code. Insofar as possible, conciliation meetings shall be held in the cities or other localities where the discriminatory housing practices allegedly occurred. The Secretary

shall by rule prescribe such rights of appeal from the decisions of his hearing examiners to other hearing examiners or to other officers in the Department, to boards of officers or to himself, as shall be appropriate and in accordance with law.

(d) All executive departments and agencies shall administer their programs and activities relating to housing and urban development in a manner affirmatively to further the purposes of this title and shall cooperate with the Secretary to further such purposes.

(e) The Secretary of Housing and Urban Development shall—

(1) make studies with respect to the nature and extent of discriminatory housing practices in representative communities, urban, suburban, and rural, throughout the United States;

(2) publish and disseminate reports, recommendations, and information derived from such studies;

(3) cooperate with and render technical assistance to Federal, State, local, and other public or private agencies, organizations, and institutions which are formulating or carrying on programs to prevent or eliminate discriminatory housing practices;

(4) cooperate with and render such technical and other assistance to the Community Relations Service as may be appropriate to further its activities in preventing or eliminating discriminatory housing practices; and

(5) administer the programs and activities relating to housing and urban development in a manner affirmatively to further the policies of this title.

EDUCATION AND CONCILIATION

SEC. 209. Immediately after the enactment of this title the Secretary shall commence such educational and conciliatory activities as in his judgment will further the purposes of this title. He shall call conferences of persons in the housing industry and other interested parties to acquaint them with the provisions of this title and his suggested means of implementing it, and shall endeavor with their advice to work out programs of voluntary compliance and of enforcement. He may pay per diem, travel, and transportation expenses for persons attending such conferences as provided in section 5703 of title 5 of the United States Code. He shall consult with State and local officials and other interested parties to learn the extent, if any, to which housing discrimination exists in their State or locality, and whether and how State or local enforcement programs might be utilized to combat such discrimination in connection with or in place of, the Secretary's enforcement of this title. The Secretary shall issue reports on such conferences and consultations as he deems appropriate.

ENFORCEMENT

SEC. 210. (a) Any person who claims to have been injured by a discriminatory housing practice or who believes that he will be irrevocably injured by a discriminatory housing practice that is about to occur (hereafter "person aggrieved") may file a complaint with the Secretary. Complaints shall be in writing and shall contain such information and be in such form as the Secretary requires. Upon receipt of such a complaint the Secretary shall furnish a copy of the same to the person or persons who allegedly committed or are about to commit the alleged discriminatory housing practice. Within thirty days after receiving a complaint, or within thirty days after the expiration of any period of reference under subsection (c), the Secretary shall investigate the complaint and give notice in writing to the person aggrieved whether he intends to resolve it. If the Secretary decides to resolve the complaint, he shall proceed to try to eliminate or correct the alleged discriminatory housing practice by informal methods of conference, conciliation, and persuasion. Nothing said or done in the course of such informal endeavors may be

made public or used as evidence in a subsequent proceeding under this title without the written consent of the persons concerned. Any employee of the Secretary who shall make public any information in violation of this provision shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$1,000 or imprisoned not more than one year.

(b) A complaint under subsection (a) shall be filed within one hundred and eighty days after the alleged discriminatory housing practice occurred. Complaints shall be in writing and shall state the facts upon which the allegations of a discriminatory housing practice are based. Complaints may be reasonably and fairly amended at any time. A respondent may file an answer to the complaint against him and with the leave of the Secretary, which shall be granted whenever it would be reasonable and fair to do so, may amend his answer at any time. Both complaints and answers shall be verified.

(c) Wherever a State or local fair housing law provides rights and remedies for alleged discriminatory housing practices which are substantially equivalent to the rights and remedies provided in this title, the Secretary shall notify the appropriate State or local agency of any complaint filed under this title which appears to constitute a violation of such State or local fair housing law, and the Secretary shall take no further action with respect to such complaint if the appropriate State or local law enforcement official has, within thirty days from the date the alleged offense has been brought to his attention, commenced proceedings in the matter, or, having done so, carries forward such proceedings with reasonable promptness. In no event shall the Secretary take further action unless he certifies that in his judgment, under the circumstances of the particular case, the protection of the rights of the parties or the interests of justice require such action.

(d) If within thirty days after a complaint is filed with the Secretary or within thirty days after expiration of any period of reference under subsection (c), the Secretary has been unable to obtain voluntary compliance with this title, the person aggrieved may, within thirty days thereafter, commence a civil action in any appropriate United States district court, against the respondent named in the complaint, to enforce the rights granted or protected by this title, insofar as such rights relate to the subject of the complaint: Provided, That no such civil action may be brought in any United States district court if the person aggrieved has a judicial remedy under a State or local fair housing law which provides rights and remedies for alleged discriminatory housing practices which are substantially equivalent to the rights and remedies provided in this title. Such actions may be brought without regard to the amount in controversy in any United States district court for the district in which the discriminatory housing practice is alleged to have occurred or be about to occur or in which the respondent resides or transacts business. If the court finds that a discriminatory housing practice has occurred or is about to occur, the court may, subject to the provisions of section 212, enjoin the respondent from engaging in such practice or order such affirmative action as may be appropriate.

(e) If any proceeding brought pursuant to this section, the burden of proof shall be on the complainant.

(f) Whenever an action filed by an individual, in either Federal or State court, pursuant to this section or section 212, shall come to trial the Secretary shall immediately terminate all efforts to obtain voluntary compliance.

INVESTIGATIONS; SUBPENAS; GIVING OF EVIDENCE

SEC. 211. (a) In conducting an investigation the Secretary shall have access at all reasonable times to premises, records, docu-

ments, individuals, and other evidence or possible sources of evidence and may examine, record, and copy such materials and take and record the testimony or statements of such persons as are reasonably necessary for the furtherance of the investigation: Provided, however, The Secretary first complies with the provisions of the Fourth Amendment relating to unreasonable searches and seizures. The Secretary may issue subpoenas to compel his access to or the production of such materials, or the appearance of such persons, and may issue interrogatories to a respondent, to the same extent and subject to the same limitations as would apply if the subpoenas or interrogatories were issued or served in aid of a civil action in the United States district court for the district in which the investigation is taking place. The Secretary may administer oaths.

(b) Upon written application to the Secretary, a respondent shall be entitled to the issuance of a reasonable number of subpoenas by and in the name of the Secretary to the same extent and subject to the same limitations as subpoenas issued by the Secretary himself. Subpoenas issued at the request of a respondent shall show on their face the name and address of such respondent and shall state that they were issued at his request.

(c) Witnesses summoned by subpoena of the Secretary shall be entitled to the same witness and mileage fees as are witnesses in proceedings in United States district courts. Fees payable to a witness summoned by a subpoena issued at the request of a respondent shall be paid by him.

(d) Within five days after service of a subpoena upon any person, such person may petition the Secretary to revoke or modify the subpoena. The Secretary shall grant the petition if he finds that the subpoena requires appearance or attendance at an unreasonable time or place, that it requires production of evidence which does not relate to any matter under investigation, that it does not describe with sufficient particularity the evidence to be produced, that compliance would be unduly onerous, or for other good reason.

(e) In case of contumacy or refusal to obey a subpoena, the Secretary or other person at whose request it was issued may petition for its enforcement in the United States district court for the district in which the person to whom the subpoena was addressed resides, was served, or transacts business.

(f) Any person who willfully fails or neglects to attend and testify or to answer any lawful inquiry or to produce records, documents, or other evidence, if in his power to do so, in obedience to the subpoena or lawful order of the Secretary, shall be fined not more than \$1,000 or imprisoned not more than one year, or both. Any person who, with intent thereby to mislead the Secretary, shall make or cause to be made any false entry or statement of fact in any report, account, record, or other document submitted to the Secretary pursuant to his subpoena or other order, or shall willfully neglect or fail to make or cause to be made full, true, and correct entries in such reports, accounts, records, or other documents, or shall willfully mutilate, alter, or by any other means falsify any documentary evidence, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

(g) The Attorney General shall conduct all litigation in which the Secretary participates as a party or as amicus pursuant to this Act.

ENFORCEMENT BY PRIVATE PERSONS

SEC. 212. (a) The rights granted by sections 203, 204, 205, and 206 may be enforced by civil actions in appropriate United States district courts without regard to the amount in controversy and in appropriate State or local courts of general jurisdiction. A civil action shall be commenced within one hundred and eighty days after the alleged dis-

criminatory housing practice occurred: *Provided, however*, That the court shall continue such civil case brought pursuant to this section or section 210D from time to time before bringing it to trial if the court believes that the conciliation efforts of the Secretary or a State or local agency are likely to result in satisfactory settlement of the discriminatory housing practice complained of in the complaint made to the Secretary or to the local or State agency and which practice forms the basis for the action in court: *And provided, however*, That any sale, encumbrance, or rental consummated prior to the issuance of any court order issued under the authority of this Act, and involving a bona fide purchaser, encumbrancer, or tenant without actual notice of the existence of the filing of a complaint or civil action under the provisions of this Act shall not be affected.

(b) Upon application by the plaintiff and in such circumstances as the court may deem just, a court of the United States in which a civil action under this section has been brought may appoint an attorney for the plaintiff and may authorize the commencement of a civil action upon proper showing without the payment of fees, costs, or security. A court of a State or subdivision thereof may do likewise to the extent not inconsistent with the law or procedures of the State or subdivision.

(c) The court may grant as relief, as it deems appropriate, any permanent or temporary injunction, temporary restraining order, or other order, and may award to the plaintiff actual damages and not more than \$1,000 punitive damages, together with court costs and reasonable attorney fees in the case of a prevailing plaintiff: *Provided*, That the said plaintiff in the opinion of the court is not financially able to assume said attorney's fees.

ENFORCEMENT BY THE ATTORNEY GENERAL

SEC. 213. (a) Whenever the Attorney General has reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights granted by this title, or that any group of persons has been denied any of the rights granted by this title and such denial raises an issue of general public importance, he may bring a civil action in any appropriate United States district court by filing with it a complaint setting forth the facts and requesting such preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order against the person or persons responsible for such pattern or practice or denial of rights, as he deems necessary to insure the full enjoyment of the rights granted by this title.

EXPEDITION OF PROCEEDINGS

SEC. 214. Any court in which a proceeding is instituted under section 212 or 213 of this title shall assign the case for hearing at the earliest practicable date and cause the case to be in every way expedited.

EFFECT ON STATE LAWS

SEC. 215. Nothing in this title shall be construed to invalidate or limit any law of a State or political subdivision of a State, or of any other jurisdiction in which this title shall be effective, that grants, guarantees, or protects the same rights as are granted by this title; but any law of a State, a political subdivision, or other such jurisdiction that purports to require or permit any action that would be a discriminatory housing practice under this title shall to that extent be invalid.

COOPERATION WITH STATE AND LOCAL AGENCIES ADMINISTERING FAIR HOUSING LAWS

SEC. 216. The Secretary may cooperate with State and local agencies charged with the administration of State and local fair housing laws and, with the consent of such agen-

cies, utilize the services of such agencies and their employees and, notwithstanding any other provision of law, may reimburse such agencies and their employees for services rendered to assist him in carrying out this title. In furtherance of such cooperative efforts, the Secretary may enter into written agreements with such State or local agencies. All agreements and terminations thereof shall be published in the Federal Register.

INTERFERENCE, COERCION, OR INTIMIDATION

SEC. 217. It shall be unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of his having exercised or enjoyed, or on account of his having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by section 203, 204, 205, or 206. This section may be enforced by appropriate civil action.

APPROPRIATION

SEC. 218. There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this title.

SEPARABILITY OF PROVISIONS

SEC. 219. If any provision of this title or the application thereof to any person or circumstances is held invalid, the remainder of the title and the application of the provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

TITLE III

PREVENTION OF INTIMIDATION IN FAIR HOUSING CASES

SEC. 301. Whoever, whether or not acting under color of law, by force or threat of force willfully injures, intimidates or interferes with, or attempts to inquire, intimidate or interfere with—

(a) any person because of his race, color, religion or national origin and because he is or has been selling, purchasing, renting, financing, occupying, or contracting or negotiating for the sale, rental, financing or occupation of any dwelling, or applying for or participating in any service, organization, or facility relating to the business of selling or renting dwellings; or

(b) any person because he is or has been, or in order to intimidate such person or any other person or any class of persons from—

(1) participating, without discrimination on account of race, color, religion or national origin, in any of the activities, services, organizations or facilities described in subsection 301(a); or

(2) affording another person or class of persons opportunity or protection so to participate; or

(c) any citizen because he is or has been, or in order to discourage such citizen or any other citizen from lawfully aiding or encouraging others to participate, without discrimination on account of race, color, religion or national origin, in any of the activities, services, organizations or facilities described in subsection 301(a), or participating lawfully in speech or peaceful assembly opposing and denial of the opportunity to so participate—shall be fined not more than \$1,000, or imprisoned not more than one year, or both; and if bodily injury results shall be fined not more than \$10,000, or imprisoned not more than ten years, or both; and if death results be subject to imprisonment for any term of years or for life.

TITLE IV—CIVIL OBEDIENCE

SHORT TITLE

SEC. 401. This title may be cited as the "Civil Obedience Act of 1968".

CRIMINAL PENALTIES FOR ACTS COMMITTED IN CIVIL DISORDERS

SEC. 402. (a) Title 18, United States Code, is amended by inserting after chapter 11 thereof the following new chapter:

CHAPTER 12.—CIVIL DISORDERS

"Sec.

"231. Civil disorders.

"232. Definitions.

"233. Preemption.

"§ 231. Civil disorders

"(a) (1) Whoever teaches or demonstrates to any other person the use, application, or making of any firearm or explosive or incendiary device, or technique capable of causing injury or death to persons, knowing or having reason to know or intending that the same will be unlawfully employed for use in, or in furtherance of, a civil disorder which may in any way or degree obstruct, delay, or adversely affect commerce or the movement of any article or commodity in commerce or the conduct or performance of any federally protected function; or

"(2) Whoever transports or manufactures for transportation in commerce any firearm, or explosive or incendiary device, knowing or having reason to know or intending that the same will be used unlawfully in furtherance of a civil disorder; or

"(3) Whoever commits or attempts to commit any act to obstruct, impede, or interfere with any fireman or law enforcement officer lawfully engaged in the lawful performance of his official duties incident to and during the commission of a civil disorder which in any way or degree obstructs, delays, or adversely affects commerce or the movement of any article or commodity in commerce or the conduct or performance of any federally protected function—

"Shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

"(b) Nothing contained in this section shall make unlawful any act of any law enforcement officer which is performed in the lawful performance of his official duties.

"§ 232. Definitions

"For purposes of this chapter:

"(1) The term 'civil disorder' means any public disturbance involving acts of violence by assemblages of three or more persons, which causes an immediate danger of or results in damage or injury to the property or person of any other individual.

"(2) The term 'commerce' means commerce (A) between any State or the District of Columbia and any place outside thereof; (B) between points within any State or the District of Columbia, but through any place outside thereof; or (C) wholly within the District of Columbia.

"(3) The term 'federally protected function' means any function, operation, or action carried out, under the laws of the United States, by any department, agency, or instrumentality of the United States or by an officer or employee thereof; and such term shall specifically include, but not be limited to, the collection, and distribution of the United States mails.

"(4) The term 'firearm' means any weapon which is designed to or may readily be converted to expel any projectile by the action of an explosive; or the frame or receiver of any such weapon.

"(5) The term 'explosive or incendiary device' means (A) dynamite and all other forms of high explosives, (B) any explosive bomb, grenade, missile, or similar device, and (C) any incendiary bomb or grenade, fire bomb, or similar device, including any device which (i) consists of or includes a breakable container including a flammable liquid or compound, and a wick composed of any material which, when ignited, is capable of igniting such flammable liquid or compound, and (ii) can be carried or thrown by one individual acting alone.

"(6) The term 'fireman' means any member of a fire department (including a volunteer fire department) of any State, any political subdivision of a State, or the District of Columbia.

"(7) The term 'law enforcement officer' means any officer or employee of the United States, any State, any political subdivision of a State, or the District of Columbia, while engaged in the enforcement or prosecution of any of the criminal laws of the United States, a State, any political subdivision of a State, or the District of Columbia; and such term shall specifically include, but shall not be limited to, members of the National Guard, as defined in section 101 (9) of title 10, United States Code, members of the organized militia of any State, or territory of the United States, the Commonwealth of Puerto Rico, or the District of Columbia, not included within the definition of National Guard as defined by such section 101 (9), and members of the Armed Forces of the United States, while engaged in suppressing acts of violence or restoring law and order during a civil disorder.

"§ 233. Preemption

"Nothing contained in this chapter shall be construed as indicating an intent on the part of Congress to occupy the field in which any provisions of the chapter operate to the exclusion of State or local laws on the same subject matter, nor shall any provision of this chapter be construed to invalidate any provision of State law unless such provision is inconsistent with any of the purposes of this chapter or any provision thereof."

(b) The table of contents to "PART I.—CRIMES" of title 18, United States Code, is amended by inserting after

"11. Bribery and graft..... 211"
a new chapter reference as follows:

"12. Civil disorders..... 231".

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, for the information of Senators, there will be no period for the transaction of routine morning business tomorrow morning, and time on the bill will commence immediately after the prayer and the reading of the Journal.

ADJOURNMENT

Mr. LONG of Louisiana. Mr. President, in accordance with the order previously entered, I move that the Senate stand in adjournment until 10 a.m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 7 minutes p.m.) the Senate adjourned until tomorrow, Friday, March 8, 1968, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate March 7, 1968:

FOREIGN CLAIMS SETTLEMENT COMMISSION

Sidney Freidberg, of New York, to be a member of the Foreign Claims Settlement Commission of the United States for the remainder of the term of 3 years from October 22, 1967, vice LaVern R. Dilweg.

TAX COURT OF THE UNITED STATES

The following-named persons to be judges of the Tax Court of the United States for the term of 12 years from June 2, 1968:

William M. Drennen, of West Virginia (re-appointment).

William M. Fay, of Pennsylvania (re-appointment).

C. Moxley Featherston, of Virginia (re-appointment).

Charles R. Simpson, of Illinois (re-appointment).

IN THE NAVY

The following-named Reserve Officers of the U.S. Navy for permanent promotion to the grade of rear admiral:

LINE

Ralph S. Garrison	John H. Hoefler
Stewart W. Hopkins	Jim K. Carpenter
States M. Mead	William S. Mailliard
Chester H. Taylor, Jr.	A. Atley Peterson
Edelen A. Parker	Dallas F. Jordan

MEDICAL CORPS

Robert A. Conard, Jr.
Richard H. Kiene
Robert E. Switzer

SUPPLY CORPS

Charles W. Shattuck J. Edwin Gay
Leslie T. Maiman Paul N. Howell

CHAPLAIN CORPS

Ray C. Tindall

DENTAL CORPS

Francis J. Fabrizio

HOUSE OF REPRESENTATIVES—Thursday, March 7, 1968

The House met at 12 o'clock noon. The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Watch ye, stand fast in the faith, quit you like men, be strong.—I Corinthians 16: 13.

God of the ages, everywhere present, everywhere available, and everywhere seeking to enter the heart of man to strengthen him and to sustain him. Be Thou with us this day and reveal Thy way to our waiting hearts. Make us so

conscious of Thy presence and so receptive to the leading of Thy spirit that we shall be directed into right paths, make wise decisions, and formulate great plans for the welfare of all our people and the well-being of our world.

With patience and perseverance may we meet the problems that confront us and the conflicts that rage about us. Together may we stand firm in our faith, be strong, and do all things in love.

We remember before Thee one of our leaders who has entered his eternal

home. We thank Thee for him and for the contribution he made to our country and to our lives. Receive him into the glory of Thy presence, comfort his family, and make us all aware of the fact that in life and in death Thou art with us. In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.